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Secretary of State

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ILLINOIS REGISTER

Rules of Governmental Agencies

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or preemptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1991

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May 14, 1991	May 21, 1991	22	May 31, 1991	Nov. 19, 1991	Nov. 26, 1991	49	Dec. 6, 1991
May 21, 1991	May 28, 1991	23	June 7, 1991	Nov. 26, 1991	Dec. 3, 1991	50	Dec. 13, 1991
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June 18, 1991	June 25, 1991	27	July 5, 1991	Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



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ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Duck, Goose and Coot Hunting2) CODE CITATION: 17 Ill. Adm. Code 5903) SECTION NUMBERS: PROPOSED ACTION:

590.10 Amendments
590.20 Amendments
590.25 Amendments
590.30 Amendments
590.40 Amendments
590.50 Amendments
590.60 Amendments
590. EXHIBIT A Repealed

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: These amendments have been proposed to update federal regulation references; delete non-toxic shot regulations; add one refuge; extend goose shooting hours, add a public goose hunting reference; correct site names, correct blind regulations; correct site regulations; re-number site references.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 590

DUCK, GOOSE AND COOT HUNTING

Section

- 590.10 Statewide Regulations
 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
 590.25 Illinois Youth Goose Hunting Permit Requirements
 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites.
 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
 590.EXHIBIT A The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendments at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendments at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendments at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendments at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendments at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendments at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; emergency amendments at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendments at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendments at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. _____, effective _____.

Section 590.10 Statewide Regulations

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

a) Pursuant to Section 2.18 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 2.18), it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20, effective September 26, 1989) (collectively referred to in this Part as federal regulations), (no incorporation in this Part includes later amendments or editions) or contrary to any State regulations made in the Wildlife Code.

b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this rule, unless federal regulations are more restrictive.

c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20, revised as of October 1, 1989) September 26, 1990) unless the regulations in this rule are more restrictive. Shooting hours shall be from sunrise to sunset, except at specific sites where shooting hours are more restrictive, or for federally-sanctioned experiments where shooting hours may be more liberal.

d) It shall be unlawful while attempting to take migratory waterfowl or cools to have in possession any shotgun shells prohibited by federal regulations. The only shot approved as non-toxic by the U.S. Fish and Wildlife Service (50 CFR 20) is steel shot, and 1% copper-plated or nickel-plated steel shot for which the plating represents less than 1% the shot's weight. Lead shot plated with copper, nickel, or other material does not qualify. Sites covered by these regulations are as stated in the federal regulations or they are listed under Site Specific Regulations. Only non-toxic shot may be used for hunting waterfowl in the following non-toxic shot zones (see EXHIBIT A):

1) Mississippi River and adjacent areas in the following counties bordered by the roads and/or lines indicated below:

A) All of Alexander, Calhoun, Carroll, Hancock, Henderson, Jackson, Jersey, Jo-Davies, Madison, Mercer, Monroe, Pike, Randolph, Rock Island, St. Clair, Union and Whiteside Counties.

B) Adams County; IL-96 (Lima); County Highway (Hwy) 41; County Hwy-7; County Hwy-8; and Lock and Dam 20. The Mark Twain National Wildlife Refuge, Bear Creek Unit is also a nontoxic shot zone.

C) Henry County. I-80 and I-74/280.

2) Illinois River and adjacent areas in the following counties bordered by the roads and/or lines indicated below:

A) All of Bureau, Calhoun, Cass, Fulton, Greene, Grundy, Jersey, Marshall, Mason, Peoria, Pike, Putnam, Tazewell and Woodford Counties.

B) Brown County. County Hwy-8/Federal Aid Secondary Route (FAS) 562;

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FAS 582, County Hwy 12, and IL-99:

~~C) Morgan County: IL-104 (Meredosia) and IL-100/US-67.~~

~~D) Schuyler County: IL-100 (Bluff City) IL-102, and County Hwy-9.~~

~~3) Southern Illinois Quota Zone~~

~~All of Alexander, Jackson, Union and Williamson Counties~~

~~4) Rend Lake-Goose Quota Zone~~

~~All of Jefferson and Franklin Counties~~

~~5) Other Areas~~

~~All of Bond, Christian, Clinton, Coles, Cook, DuPage, Fayette, Kane, Kendall, Lake McHenry, Moultrie, Perry, Will and Winnebago Counties.~~

e) Emergency Closure

The Department of Conservation (Department or DOC) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis.

f) Closed Areas and Refuges

1) Ducks - Specific habitats, geographical areas, or political land units shall be closed to hunting of specified species of ducks in compliance with federal regulations.

2) Geese and Refuges

A) Additional geographical areas or political land units shall be closed to hunting of specified species of geese in compliance with federal regulations.

B) Portions of the following areas are designated as waterfowl refuges and the refuge boundaries are posted or identified on each area posting:

i) Horseshoe Lake Conservation Area - Alexander County (in the refuge no motors will be allowed from October 15 through December 31 and trolling motors will only be used from January 1 to March 1)

ii) Mazonia-Braidwood State Fish and Wildlife Area

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iii) Rend Lake and Rend Lake Wildlife Management Area

iv) Snake Den Hollow Fish and Wildlife Area (all use other than waterfowl hunting is prohibited from October 1 through the close of goose season)

iiiiv) Union County Conservation Area (all fishing and boat traffic is prohibited from October 15 through March 1)

vi) Melvin Price Lock and Dam Pool 26 (the posted area immediately south of Melvin Price Lock and Dam 26 on the Mississippi River, and including that portion of Maple Island, that is presently owned by the State of Illinois has been designated a waterfowl refuge. Discharge of firearms, hunting and off road vehicles are prohibited at all times. All boating is prohibited on waters of the refuge where posted from October 15 through April 15)

g) Migratory Waterfowl Hunting Area Permits (Commercial and Non-Commercial)

1) The holder of a permit shall forward within one-week-30 days after the close of the season or at an earlier time as requested by the Department, a report upon forms furnished by the Department providing information on the hunting season.

2) Subsection (g) shall be in accordance with Section 3.7 of the Wildlife Code.

h) Teal Hunting Regulations are located in 17 Ill. Adm. Code 740.

i) When public duck blinds on State managed sites are flooded to the point that they are no longer usable, but the water level is not too high or rough to be a threat to public safety, the Department, by public announcement and posting, may permit waterfowl hunting anywhere on the area except in designated refuge areas. Any permits issued for the blinds are no longer valid and no fee to hunt the area will be charged.

j) Waterfowl Hunting Zones:

1) Northern Zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.

2) Central Zone - That portion of the State south of the northern zone boundary to the Modoc Ferry Landing on the Mississippi River and east along the Modoc Ferry Road to Randolph County Highway 12 to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east along U.S. Interstate 70 to the

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Indiana border.

- 3) Southern Zone - From the southern boundary of the Central Zone south to the remainder of the State.
- 4) Tri-county Goose Zone - Knox County and the following townships: Fulton County - Buckheart, Canton; Cass - Deerfield, Fairview, Farmington, Joshua, Orion, Putnam, and that portion of Banner Township bounded on the north by Illinois Route 9 and on the east by U.S. Route 24.
- 5) Rend Lake Canada Goose Quota Zone - all lands and waters in Franklin and Jefferson Counties.
- 6) Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, DuPage, Grundy, Kankakee, Kane, Kendall, Lake, McHenry and Will.
- 7) Southern Illinois Quota Zone (Alexander, Union, Williamson, and Jackson Counties).

- k) No person during the open season shall take or attempt to take wild geese in the Rend Lake Canada Goose Quota Zone except between legal opening and the hour of 3:00 p.m.

l) ~~The hunting season for Canada Geese in the Southern Illinois Quota Zone shall be lengthened by extending the season from 3:00 p.m. until sunset on January 20, 21, 22, 23 and 24, 1991, unless the season has been closed earlier pursuant to subsection (e).~~

l) The hunting season for Canada Geese in the Southern Illinois Quota Zone and the Rend Lake Quota Zone shall be lengthened by extending the season from 3:00 p.m. until sunset on the last 5 days of the regularly scheduled season, unless the season has been closed earlier pursuant to subsection (e).

(Source: Amended at 15 Ill. Reg. _____, effective _____, 1991)

Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

Horseshoe Lake Conservation Area (Alexander County)

Rice Lake Conservation Area

Snake Den Hollow State Fish and Wildlife Area

Union County Conservation Area

- b) Permit Requirements

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NOTICE OF PROPOSED AMENDMENTS

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced.

- 2) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code.

- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one hunting partner for Horseshoe Lake (Alexander County), Snake Den Hollow State Fish and Wildlife Area and Union County (two hunters per blind), except for the Youth Goose Hunt, or two hunting partners for Rice Lake (three hunters per blind). Unfilled blinds will be filled by a drawing at the sites.

- 4) A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferrable.

- B) Permits cannot be transferred on the hunting area. For other information write to:

Illinois Department of Conservation
Permit Office - Waterfowl

524 S. Second Street, Room 210

P.O. Box 19457

Springfield, IL 62794-9457

- 5) Permits for waterfowl hunting will be issued from the Springfield Permit Office for Horseshoe Lake (Alexander County), Snake Den Hollow State Fish and Wildlife Area, Union County and Rice Lake.

- c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County), Snake Den Hollow State Fish and Wildlife Area, Union County and Rice Lake areas

- 1) Subsection (c) of this Section shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.

- 2) Season dates, bag limits and methods of taking geese are set by the U. S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

- 3) Hours, Permits and Stamp Charges

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- A) Hunting hours are from legal opening time until 12:00 Noon at Rice Lake and Snake Den Hollow State Fish and Wildlife Area. Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 Noon.
- B) Hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the better blinds as they become available.
- C) A \$15.00 Daily Usage Stamp must be purchased at Horseshoe Lake (Alexander County), Snake Den Hollow State Fish and Wildlife Area and Union County. A \$6.00 Daily Usage Stamp must be purchased at Rice Lake.
- 4) When daily quotas are not filled, permits will be issued to standby hunters by a drawing held at the check station.
- 5) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
- 6) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.
- 7) Baiting with corn, grains or other feed is not allowed.
- 8) Guns must be unloaded and encased at all times when not hunting.
- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.
- d) Special Canada geese hunting regulations for Horseshoe Lake (Alexander County) and Union County.
- 1) The legal hunting season is the dates of the Quota Zone goose hunting season except that the areas will be closed on Monday and on December 24, 25, and 26 and 27. These sites will be open only for the Illinois Youth Goose Hunt on December 27, pursuant to Section 590.25).
- 2) ~~Hunters may not possess shells with shot larger than size 7 steel.~~ Hunters may not possess more than 5 shells for each Canada Goose or subspecies allowed

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- in the daily bag (i.e., if 2 Canada geese are allowed per day, hunters may have 40 shells; if 3 are allowed, hunters may have 15 shells). It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.
- 3) Hunters cannot leave their blinds and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.
- 4) Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind on the Union County or Horseshoe Lake (Alexander County) areas. Each person under 16 years of age must be accompanied by a supervising adult.
- 5) Hunters shall use only decoys provided by the Department. The use or possession of any other decoys is illegal.
- e) Special duck regulations for Rice Lake.
- 1) The legal hunting season is the dates of the central zone duck hunting season.
- 2) ~~It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.~~
- 3) All hunting parties (each blind) are required to use a minimum of 12 duck decoys.
- 4) Hunters can bring a private boat or can rent a boat at the area. The maximum motor size limit for private boats is unrestricted and for rental boats is 10 h.p. while hunting. Boats will be provided with blinds on Big Lake and no motors will be allowed.
- 5) Hunters must be at least 16 years of age to draw for a blind at the Rice Lake area.
- 6) Rice Lake will be closed to hunting when the lake is frozen over.
- f) Special Canada goose hunting regulations for Snake Den Hollow.
- 1) The legal hunting season is the dates of the Tri-County goose hunting zone.
- 2) Hunters may not possess more than 5 shells for each Canada goose or subspecies allowed in the daily bag.
- 3) Hunters may not enter the refuge in pursuit of crippled geese.
- 4) Hunters must be at least 16 years of age to draw for a blind.

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NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 590.25 Illinois Youth Goose Hunting Permit Requirements

- a) State sites covered in this Section, which allow hunting by permit only, are:

Horseshoe Lake Conservation Area (Alexander County)

Union County Conservation Area

- b) Permit Requirements

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced. Applicants must be between the ages of 10 and 15.

- 2) Only one permit per person will be issued for the hunt on December 28, 1991.

- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one supervising adult who may also hunt.

- 4) Permit reservations and transferability.

- A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferable. Previous participants are ineligible to apply for a permit.

- B) For other information write to:

Illinois Department of Conservation
Youth Goose Hunt
524 S. Second Street, Room 210
P.O. Box 19457
Springfield, IL 62794-9457

- 5) Permits for the Illinois Youth Goose Hunt will be issued from the Springfield Permit Office.

- c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County) and Union County.

- 1) Subsection (c) shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.

- 2) Season dates, bag limits and methods of taking geese are set by the U.S. Fish

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and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

- 3) Hours, Permits and Stamp Charges

- A) Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 noon on December 28, 1991.

- B) Hunters with Illinois Youth Goose Hunt permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites which have been made void. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the unused Illinois Youth Goose Hunt blinds.

- C) There is no fee for the Illinois Youth Goose Hunting Permit.

- 4) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

- 5) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

- 6) Baiting with corn, grains or other feed is not allowed.

- 7) Hunters must have a 20 gauge or larger shotgun and provide their own ammunition.

- 8) Guns must be unloaded and encased at all times when not hunting.

- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

- d) Special Canada geese Illinois Youth Goose Hunt hunting regulations for Horseshoe Lake (Alexander County) and Union County:

- 1) The legal hunting season is December 28, 1991.

- 2) Each youth may not possess more than 25 shells nor shoot larger than size 7 steel. It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.

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3) Hunters cannot leave their blind and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.

4) Each youth and supervising adult may be accompanied by a guide.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites.

a) The regulations in this Section apply to all sites listed in Sections 590.40, 590.50 and 590.60, unless otherwise stated in those Sections.

b) The regulations in these Sections are in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in these Sections are more restrictive.

c) All the regulations in 17 Ill. Adm. Code 510 apply in these Sections, unless these Sections are more restrictive.

d) Definitions

1) Blind site - A position within 10 feet of numbered site where blind must be constructed. Sites will be located and marked by the Department of Conservation.

2) Blind builder - Person who has been assigned a blind site as a result of the drawing.

3) Blind partner - Person(s) chosen by the builder to assist in construction and maintenance of the blind and to share its hunting privileges.

4) Drawing - Procedure by which blind sites are assigned.

5) Blind registration card - Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.

6) Complete blind - A blind with all framework and siding constructed and in readiness for use, including final brushing.

7) Hunting party - An individual or group of hunters occupying a single boat, blind, or hunting site.

e) Blind Construction

1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy

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enough to withstand daily usage, and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.

2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.

3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of waterfowl season, except for those areas listed in Section 590.60(b)(7)(12) and Section 590.60(b)(46)(16) after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection. Blind builders must post Blind Registration Card in the blind prior to the first day of duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.

4) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, will be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes will be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned before August 31. Failure to do so will result in forfeiture of blind.

6) No person shall be allowed to be a blind builder or partner on more than one State Waterfowl Management Area in Illinois.

7) Boat hides are required, except as noted in Sections 590.40, 590.50 and 590.60, and must have minimum inside dimensions of 18' x 6', and shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by three weeks prior to the opening day of waterfowl season; failure to meet these standards will result in forfeiture of blind site.

f) Use of blinds

1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

2) No person shall hunt, or attempt to hunt, except from within a registered blind.

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- 3) Persons under 16 years of age shall not hunt, or attempt to hunt unless accompanied by an adult due to safety factors.
 - 4) Blinds shall not be locked.
 - 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied is unlawful.
 - 6) No person shall fish within 250 yards of an occupied blind within the hunting area.
 - 7) All hunting parties shall hunt over a spread of at least 12 decoys. The decoys shall be staked, placed, or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container. Decoys must be removed at the end of the day's hunt or left overnight, as determined by the site manager.
- g) Public Drawing
- 1) Time and place for all sites holding drawings will be publicly announced by the Department of Conservation.
 - 2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expired (within 12 months prior to the drawing) Firearm Owner's Identification Card unless exempted by law. Person exempted by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have Firearm Owner's Identification Cards must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. Applicants must be present for the registration and drawing to be eligible for allocation of duck blind sites.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

a) / Sites covered in this Section are:

Anderson Lake Conservation Area
Batchtown (Federal Lands)
Calhoun Point (Federal Lands)

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Glades (Federal Lands)

Godar-Diamond (Federal Lands)

Horseshoe Lake State Park - Madison County

Lake DePue State Fish and Wildlife Area

Marshall County Conservation Area

Mazonia State Fish and Wildlife Area

Sanganois Conservation Area

Spring Lake Conservation Area

Stump Lake (Federal Lands)

Woodford County Conservation Area

b) The sites listed above in Section 590.40(a) conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in parentheses and in the remainder of this Section.

- 1) Anderson Lake Conservation Area - All Management Units (legal opening - noon)
- 2) Batchtown (legal opening - 3:30 p.m. Central Standard Time (CST); decoys will be picked up and removed at the end of each day's hunt)
- 3) Calhoun Point (legal opening - 3:30 p.m. CST)
- 4) Glades (legal opening - 3:30 p.m. CST)
- 5) Godar-Diamond (legal opening - 3:30 p.m. CST)
- 6) Horseshoe Lake - Madison County (legal opening - 3:30 p.m. CST; goose hunting is prohibited after the duck season)
- 7) Lake DePue (sunrise - noon)
- 8) Marshall County Conservation Area - Spring Branch Unit (legal opening - Noon)
- 9) Mazonia Fish and Wildlife Area (legal opening to 12 noon; ~~closed to~~ goose hunting during the September season coincides with site duck season; closed Mondays and Tuesdays)
- 10) Sanganois (check station and walk-in area, hunters are not required to hunt from a blind site during goose seasons held prior to duck season; legal opening

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- Noon)

- 11) Spring Lake (legal opening - Noon; during the waterfowl season, the maximum horsepower limit for outboard motors on the lake is 25 h.p.; no goose hunting prior to duck season)
 - 12) Stump Lake (legal opening - 3:30 p.m. CST)
 - 13) Woodford County Conservation Area (legal opening - Noon)
- c) The following regulations apply to all sites listed in this Section under Subsection (a):
- 1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, goose hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
 - 2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before shooting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their daily hunt must report back to the check station for reassignment.
 - 3) All hunting will be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.
 - 4) All hunters must be checked out within one hour of the close of the legal shooting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards will be returned.
 - 5) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 3 days prior to the waterfowl season.
 - 6) It shall be unlawful to trespass upon the designated waterfowl hunting area 7 days prior to the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season on Anderson Lake, Lake Depue, Marshall County, Spring Lake, Woodford County Sites, Godard-Diamond and Crull Impoundment.
 - 7) It shall be illegal to fish or trespass upon the designated waterfowl hunting area or waterfowl refuge beginning two weeks prior to the waterfowl season until the end of waterfowl season at Mazonia Fish and Wildlife Area
 - 8) No more than 4 persons shall occupy a blind at one time.
- d) During duck season, blinds not claimed by the builder or partners by one hour before shooting time will be assigned by a drawing at this time or during the time in parentheses, after which time the area will be closed to additional hunters.

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- Anderson Lake (one hour before shooting time - 10:00 a.m.)
- Batchtown (9:00 a.m. - 1:00 p.m.)
- Calhoun Point (9:00 a.m. - 1:00 p.m.)
- Glades (9:00 a.m. - 1:00 p.m.)
- Godard-Diamond (9:00 a.m. - 1:00 p.m.)
- Horseshoe Lake - Madison County (9:00 a.m. - 1:00 p.m.)
- Lake DePue (one hour before shooting time - 9:00 a.m.)
- Marshall County Conservation Area - Spring Branch Unit (one hour before shooting time - 9:00 a.m.)
- Mazonia Fish and Wildlife Area (one hour before shooting time - 9:00 a.m.)
- Rice Lake (one hour before shooting time - 9:00 a.m.)
- Sanganois (~~10:00 a.m.~~ one hour before shooting time - 10:00 a.m.)
- Spring Lake (one hour before shooting time - 9:00 a.m.)
- Stump Lake (9:00 a.m. - 1:00 p.m.)
- Woodford County Conservation Area (one hour before shooting time - 9:00 a.m.)
- e) Blind sites will be allocated for a one-year period by a public drawing at:
- Anderson Lake (Anderson Lake Management Unit)
- Horseshoe Lake (Madison County)
- Lake DePue
- Marshall County Conservation Area - Spring Branch Unit
- Mazonia Fish and Wildlife Area
- Sanganois
- Spring Lake
- Woodford County Conservation Area

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- 1) Previous year's blind builders will have until the time as noted in parentheses to salvage materials from their blinds.

Anderson Lake (February 1 of the following year)

Batchtown (7 days after the current drawing)

Calhoun Point (7 days after the current drawing)

Glades (7 days after the current drawing)

Godar-Diamond (7 days after the current drawing)

Horseshoe Lake - Madison County (7 days after the current drawing)

Lake DePue (7 days after the current drawing)

Marshall County Conservation Area - Spring Branch Unit (February 1 of the following year)

Mazonia Fish and Wildlife Area (February 1 of the following year)

Sanganois (7 days after the current drawing)

Spring Lake (February 1 of the following year)

Stump Lake (7 days after the current drawing)

Woodford County Conservation Area (February 1 of the following year)

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section have additional regulations in parentheses:

Chain O'Lakes State Park (~~Goose hunting permitted during special goose season prior to regular waterfowl season~~ For goose seasons prior to duck season hunting allowed from numbered blind sites only; and blinds need not be completed for hunting during special early goose season)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed)

Fuller Lake (Federal Lands; legal opening - 8-093:30 p.m. CST)

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Helmhold Slough (Federal Lands; legal opening - 8-093:30 p.m. CST)

Illinois River - Pool 26

Kankakee River State Park (no boat hide required; no goose hunting permitted during September-Goose-Season prior to duck season)

Lake Sinissippi (Department Owned Land)

Marshall County Conservation Area - Sparland Unit (Department Owned Land)

Meredosia Lake - Cass County Portion Only (meandered waters only) (all boat traffic is prohibited from operating on meandered waters (except un-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (Federal Lands)

Pekin Lake (Department Owned Land)

Piasa (Federal Lands)

Red's Landing (Federal Lands)

Riprap Landing

Savanna Ordnance Depot (Federal Lands)

Starved Rock State Park

William W. Powers Conservation Area (no goose hunting during September-Goose-Season prior to duck season; boat hides required only at designated sites as announced at the drawing)

- b) The sites listed above in subsection (a) conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in the remainder of this Section. The following regulations apply to all sites listed in this Section under subsection (a).

- 1) Hours are legal opening to sunset.
- 2) Blind builders or partners must occupy their blinds by one-half hour before opening shooting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first-come basis.
- 3) Attempts to claim blinds by any manner other than actual occupation shall be

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considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

- c) Hunting from stationary permanent blinds will be permitted at the above areas with the following exceptions:

- 1) AMAX Leased Lands - no permanent blinds may be built. Temporary blinds only - 200 yards apart.
 - 2) Boston Bay, Mississippi River Pool 18 - no permanent blinds may be built. Temporary blinds only - 200 yards apart.
 - 3) Mississippi River Pools 16-18 - scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting.
 - 4) Savanna Ordnance Depot - scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters.
 - 5) Red's Landing - all area north of access road will be a walk-in area only. No permanent blinds may be built. Temporary blinds only.
- d) Special access restrictions are at the following sites:
- Savanna Ordnance Depot (boat access only)

- e) No more than 4 persons shall occupy a blind at one time except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Savanna Ordnance depot.

- f) Previous year's blind builders shall have until the date listed in parentheses of the following year to salvage materials from blind sites. After this date, all materials will become the property of the Department or the new blind builder, as determined by the site manager, except as noted in parentheses.

Chain O'Lakes (7 days after current year's drawing, except blind numbers 23, 24, 25, 26 and 27 must be removed in their entirety by May 1.)

Des Plaines River (blind drawing date)

Fuller Lake (7 days after the current year's drawing)

Helmhold Slough (7 days after the current year's drawing)

Illinois River Pool 26 (7 days after the current year's drawing)

Kankakee River (February 1)

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Lake Sinnissippi (blind drawing date; after May 1 the Department reserves the right to remove any blinds or parts thereof that it deems necessary for reasons such as but not limited to, hazards to navigation, interference with ~~canal feeder~~ or access and hazards to recreational boating except blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 23, 26, 27, 28, 29, 30, 31 and 32 must be removed in their entirety by May 1)

Marshall County Conservation Area - Sparland Unit (February 1)

~~Meredosia Lake - Cass County Portion Only (February 1)~~

~~Mississippi River Pools 16, 17, 18 (the next season's blind drawing date)~~

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26, (7 days after the current year's drawing)

Pekin Lake (the blind drawing date)

Piasa (7 days after the current year's drawing)

Red's Landing (7 days after the current year's drawing)

Riprap Landing (7 days after the current year's drawing)

Savanna Ordnance Depot (~~blind drawing date~~ 7 days after the current year's drawing)

Starved Rock State Park (February 1)

William Powers (February 1)

- g) Blind sites will be allocated for the period as noted by a public drawing at:

Chain O'Lakes (1 year)

Des Plaines River (1 year)

Kankakee River (1 year)

Lake Sinnissippi (1 year)

Marshall County Conservation Area - Sparland Unit (1 year)

Mississippi River Pools 16, 17, 18, 22, 24, (2 years)

Mississippi River Pool 21 (1 year)

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Mississippi River Pools 25, 26 (3 years)

Pekin Lake (1 year)

Savanna Ordnance Depot (1 year)

Starved Rock State Park (1 year)

William Powers (1 year)

b) Re-registration Process for "2 year" and "3 year" Blind Allocation Sites.

- 1) Mississippi River Pools 16, 17, and 18

In those years when blind sites are allocated by re-registration, at least one of last year's registered blind builders from each blind site must mail or phone in notice to re-register that blind site. Failure to re-register during the publicly announced prescribed period will result in loss of blind site.

- 2) Mississippi River Pools 21, 22, 24, 25 and 26

In those years when blind sites are allocated by re-registration, at least one of last year's registered blind builders from each blind site must be present in order to re-register that blind site. Registrant must be over 16 years of age and have in his possession the current year's Illinois hunting license for himself and his blind partners. Failure to re-register during prescribed period will result in loss of blind site.

- 3) Blind builders may not be added or transferred to another blind after the initial blind registration has occurred.

i) ~~Fishing restrictions~~

- 1) ~~On Mississippi River Pools 16, 17, 18, fishing will be permitted on the area with the exception that no person shall engage in fishing within 200 yards of an occupied waterfowl blind during the regular waterfowl season.~~

- 2) At William Powers, fishing from boats during waterfowl season is unlawful. Fishing from the shore in areas posted as waterfowl hunting areas during waterfowl hunting season is unlawful.

- j) Blind winners on the following sites will be provided forms for the purpose of maintaining waterfowl harvest records. The forms must be completed and returned by January 15 or the blind builder and partners for that blind will not be allowed to be a blind builder or partner at these sites for the following year.

Chain of Lakes State Park

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Des Plaines Conservation Area

Kankakee River State Park

William Powers Conservation Area

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

- a) Sites covered in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in the remainder of this Section. These sites are:

Braidwood Lake

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Wildlife Management Area~~Project Lands and Waters~~

Clinton Lake State Recreation Area

Crab Orchard Refuge

Dog Island Wildlife Management Area

Donnelley State Wildlife Area

Fox Ridge State Park

Pt. de Chartres Historic Site

Heidecke State Fish and Wildlife Area and Powerton Lake

Horseshoe Lake Conservation Area (Alexander County) Public Hunting Area (other than permit area)

Horseshoe Lake State Recreation Area (Madison County)

Kaskaskia River Fish and Wildlife Area

Kidd Lake State Natural Area (no permanent blinds allowed)

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville

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Lake Shelbyville Fish and Wildlife Management Area

LaSalle Fish and Wildlife Area

Little Black Slough State Natural Area

Lower Cache River State Natural Area

Mernmet Lake Conservation Area

Mississippi River Area Fish and Wildlife Area

Pike County Conservation Area

Powerton Lake (Regulations combined with Heidecke Lake)

Rend Lake ~~Wildlife Management Area~~ Project Lands and Waters

Rice Lake Conservation Area

Saline County Conservation Area

Sanganois Conservation Area

Sangchris Lake State Park

Shawnee National Forest, Bluff Lake

Shawnee National Forest, LaRue Scatters

Shawnee National Forest, Oakwood Bottoms (West of the Big Muddy Levee)

Stephen A. Forbes State Park

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs Fish and Wildlife Area (All hunters must sign in and out and report kill; no permanent blinds allowed)

Union County (firing line Waterfowl Management Area)

b) Site specific regulations

1) Braidwood Lake

A) Definitions:

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i) Boat blind (water blind) - a portable form of boat which must be completely concealed (including final brushing) before entering the area.

ii) Water blind site - a position within 50 yards of a numbered stake or buoy, or a position between two like-numbered buoys, where a blind may be located.

iii) Daily draw - procedure by which blinds or blind sites are allocated daily.

iv) Refuge - an inviolate area on which all hunters and the general public may not trespass.

B) Waterfowl hunting will be permitted on Department leased or managed lands and waters only at designated blind sites.

C) Water blind sites will be determined by the Department of Conservation and marked with a numbered stake or buoy.

D) Blind sites will be allocated on a daily draw basis conducted at the check stations 90 minutes before sunrise/shooting time. Hunters shall register as parties for the drawing; each party drawn will be allowed to select blind site in order drawn; only those hunters registered in party will be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

E) Blind sites not selected during the drawing will be allocated on a first-come, first-served basis. Vacant blind sites will be allocated 90 minutes after legal shooting time. No blind sites will be allocated after 9:00 a.m.

F) Hunters wishing to move to another blind site must report this move to the check station attendant, in person, before such a move, except that after 10:00 a.m. daily, hunters may move to a vacant blind site without notifying attendant, but such a move must be reported when checking out.

G) Hunting will be from boat blinds only.

H) Access to blind sites will be by boat only and from designated boat launch sites.

I) No more than 3 persons shall use one blind. Portable boat blinds must have been completed, including final brushing, before entering the area, and be removed at the end of each hunting day.

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- J) Daily shooting hours will be legal opening time to 12:00 Noon. Upon vacating blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged will be checked in and displayed to the station operator and hunting licenses returned.
- K) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
- L) No unauthorized pits or blinds will be built on Department leased or managed land or water.
- M) Braidwood Lake will be closed to all fishing and boat traffic from 2 weeks prior to duck season through the day before duck season. ~~Braidwood Lake will and be closed to all fishing during the regular waterfowl seasons commencing with duck season.~~
- N) No hunting will be allowed on Monday and Tuesday.
- O) Layout boats approved in advance by the site superintendent will be permitted. A layout boat is defined as a non-motorized, flat bottom, low profile boat in which the sides are continuous with the front deck and slope inward toward the opening rather than the usual outward slope. Such layout boats must be attended at all times by a nonhunting tender boat that is at least 16 feet with a 60 inch beam. Layout boats are restricted to open water blind sites. Tender boats must anchor as close as possible to the designated tender boat location.
- P) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
- Q) Hunting is closed on Christmas Day.
- R) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
- S) It is unlawful to shoot across any dike.
- T) Waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting during the September goose season is permitted.
- U) In the event of adverse water and/or weather conditions, such as flooding, high winds, or heavy fog, hunting will be prohibited.
- 2) Cache River State Natural Area
- A) No permanent blinds or pits may be constructed or dug at any time.

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All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.

B) Dedicated Nature Preserve areas are closed to hunting.

B3) Campbell Pond Wildlife Management Area

All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.

B4) Waterfowl Hunting Regulations for Carlyle Lake Project Lands and Waters

- A) Shooting hours for waterfowl are statewide opening hour until 1:00 p.m.
- B) Waterfowl and coot hunting will be permitted except in clearly posted refuge areas or developed recreation areas, or within 500 feet of construction sites or developed recreation areas.
- C) No permanent blinds, goose pits, or other structural works may be constructed or dug on State managed lands at any time, except that the U.S. Army Corps of Engineers may build permanent blinds for disabled or handicapped hunters. All other blinds must be portable in nature or constructed of natural vegetation located at the blind site, and must be removed at the end of the day's hunt.
- D) It is unlawful to enter the subimpoundment area during the 3 days prior to the opening of waterfowl hunting season. No one may enter the subimpoundment area before 3:00 a.m. each day of the duck hunting season, and no one may remain in the area after 3:00 p.m. each day of the duck hunting season. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4.
- E) No one may enter or remain on the waters of Carlyle Lake from 12:00 a.m. (midnight) to 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunter may remain in the area after 3:00 p.m. each day of the waterfowl hunting season. The waters of Carlyle Lake include the lake and that portion of the Kaskaskia River, northfork, eastfork and Hurricane Creek that are within the boundaries of the Carlyle Lake property.
- F) It shall be unlawful to be in possession of firearms on the waters of Carlyle Lake after 3:00 p.m. each day during the waterfowl hunting season and 24 hours prior to the opening day of waterfowl hunting season.

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- G) Only walk-in hunting will be permitted in the subimpoundment areas. No flotation devices capable of floating a man are allowed except Coast Guard approved PFD's. When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Conservation personnel will post that the area is open to boats. Boats are allowed only at these times in the subimpoundment areas.
- H) Only waterfowl and coot hunting are allowed in the subimpoundment area during the duck hunting season. On the day following the close of duck season to the close of goose season, the following areas in the Carlyle subimpoundment will be refuge. All of compartments 3 and 4 and that portion of compartment 2 that lies 200 yards south of levee B where the levee runs east and west, and 200 yards west where the levee turns and runs north and south.
- I) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season.
- J) A minimum of 200 yards shall be maintained between waterfowl hunting parties. (A hunting party shall be defined as an individual, or group of hunters occupying a single boat, blind, or hunting site).
- K) No person shall tamper or attempt to manipulate any of the gates, pumps, or structures in the subimpoundment area.
- L) No motor driven vehicles are allowed in the subimpoundment area except those operated by Department of Conservation or Corps of Engineers personnel.
- M) The ~~lands and~~ waters of Carlyle Lake lying south of a line from the south side of the mouth of Coles Creek on the east side of Carlyle Lake to the south side of the mouth of Allen Branch on the west side of Carlyle Lake is a designated waterfowl refuge and is closed to waterfowl hunting.
- N) East Side Management Area from Cox Bridge to the north and east boundary of the State managed land is open to hunting of other species (that are in season) during the waterfowl hunting season. Subimpoundment area waterfowl regulations apply in this area for waterfowl hunting. Statewide and site specific regulations apply for other species.
- O) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest registration box located at the access parking lot. All hunters must sign out and record their harvest at the end of each day's hunt.

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- 45) Clinton Lake
- A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season will be forfeited.
- B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge, and within 200 yards of developed recreation areas, construction and industrial sites, or within 300 yards of electrical power lines.
- C) Hunting parties must maintain a minimum distance of 200 yards apart.
- D) No more than 3 persons shall occupy or use a portable boat blind.
- E) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of each hunting day.
- F) Each hunting party is required to hunt over a minimum of 12 decoys.
- 66) Dog Island Wildlife Management Area
- All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.
- 67) Donnelley State Wildlife Area
- A) Hunting is prohibited on Tuesdays and Wednesdays.
- B) Hunting hours are from sunrise to 12 Noon.
- C) Goose hunting is prohibited after the close of the duck season.
- D) All hunting will be from designated blinds only. Refilling or changing blinds is not permitted.
- E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.
- F) \$5 daily usage stamp must be purchased to hunt this area.
- G) No outboard motors are allowed by public - only by authorized DOC

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personnel.

- H) No more than 3 persons shall occupy a blind at any one time.
- I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 1 p.m.
- J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys which must be removed upon the termination of the hunt.
- K) The first weekend and the third Saturday of the waterfowl season will be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There will be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
- L) One blind will be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).

~~78~~ Fox Ridge State Park

- A) Hunting restricted to Embarras River and its flood waters.
- B) No permanent blinds of any kind or other structural works are permitted.
- C) No pits shall be dug, built or occupied.

~~89~~ Fort de Chartres Historic Site

- A) No check station.
- B) Hunting is allowed from anchored, portable boat blinds only on a first-come, first-served basis; no permanent blinds allowed.
- C) Portable boat blinds must have been completed, including final brushing, before entering the area and must be removed at the end of each hunting day.
- D) Hunting parties must maintain a minimum distance of 200 yards apart.
- E) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.
- F) No hunting is allowed during firearm deer season.

~~910~~ Heidecke State Fish and Wildlife Area and Powerton Lake

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A) Definitions:

- i) Boat blind (water blind) - a portable form of boat which must be completely concealed (including final brushing) before entering the area. The boat blind and all blind materials will be removed at the end of each hunting day.
- ii) Water blind site - a position within 10 yards of a numbered stake or buoy where a blind may be located.
- iii) Daily draw - procedure by which blinds or blind sites are allocated daily.
- iv) Refuge - an inviolate area on which all hunters and the general public may not trespass.
- B) Waterfowl hunting will be permitted on Department leased or managed lands and waters only at designated blind sites.
- C) Water blind sites will be determined by the Department of Conservation and marked with a numbered stake or buoy.
- D) Blind sites will be allocated on a daily draw basis conducted at the check stations 90 minutes before sunrise-shooting time at Heidecke State Fish and Wildlife Area and 60 minutes before shooting time at Powerton Lake. At Heidecke Lake hunters shall register as parties for the drawing; each party drawn will be allowed to select blind site in order drawn; only those hunters registered in party will be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- E) Blind sites not selected during the drawing will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated after the drawing until one hour after legal shooting time. No blind sites will be allocated after the drawing until one hour after legal shooting time. No blind sites will be allocated after 10:00 a.m.
- F) Hunters wishing to move to another blind site must report this move to the check station attendant, in person, before such a move.
- G) Hunting will be from boat blinds only.
- H) Access to water blind sites will be by boat only and from designated boat launch sites.
- D) All water hunting must be from portable blind, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use

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one blind. Portable boat blinds must have been completed, including final brushing, before entering the area, and be removed at the end of each hunting day.

- J) Daily shooting hours will be legal opening time to 12:00 Noon. Upon vacating blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged will be checked in and displayed to the station operator and hunting licenses returned.

- K) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

- L) No unauthorized pits or blinds will be built on Department leased or managed land or water.

- M) Heidecke Lake will be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl season. Powerton Lake will be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters; and closed to all unauthorized entry during the waterfowl season.

- N) No hunting will be allowed on Monday and Tuesday at Heidecke Lake. No hunting will be allowed at Powerton Lake on Monday through Thursday except hunting will be permitted on State holidays.

- O) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam; however, layout boats approved in advance by the site superintendent will be permitted. A layout boat is defined as a nonmotorized, flat bottom, low profile boat in which the sides are continuous with the front deck and slope inward toward the opening rather than the usual outward slope. Such layout boats must be attended at all times by a nonhunting tender boat that is at least 16 feet with a 60 inch beam. Layout boats are restricted to open water blind sites. Tender boats must anchor as close as possible to the center dike.

- P) No guns may be carried from water blinds to retrieve waterfowl that fall on land.

- Q) Hunting is closed on Christmas Day.

- R) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.

- S) It is unlawful to shoot across any dike at Heidecke Lake.

- T) Waterfowl hunting will close with the conclusion of the duck season at

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Powerton Lake. At Heidecke Lake waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting during the September goose season is permitted at Heidecke Lake is allowed prior to duck season.

- U) In the event of adverse water and/or weather conditions, such as flooding, high winds, or heavy fog, hunting will be prohibited.

- ~~10~~11) Horseshoe Lake (Alexander County) Public Hunting Area (other than permit area)

The refuge area shall be defined as all State owned land and those areas adjacent within the tract of land hereinafter described: Beginning at the intersection of State Highway No. 3 and the Olive Branch-Miller City Road, thence in southerly direction to the intersection of the Olive Branch-Miller City Road and the Promised Land Road, thence easterly to the intersection of the Promised Land Road and Old Highway No. 3, thence northwesterly to intersection of Old Highway No. 3 and State Highway No. 3 and thence northwesterly along State Highway No. 3 to point of beginning at Olive Branch.

- ~~11~~12) Horseshoe Lake State Recreation Area (Madison County)

- A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.

- B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.

- C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.30(e), will be given one week to correct deficiencies. Blinds failing the second inspection will be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

- ~~12~~13) Kaskaskia River Fish and Wildlife Area

- A) Shooting hours are statewide opening hour until 1:00 p.m. during the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal shooting hours shall be from statewide opening hour until statewide closing hour. Goose hunting hours end at 1:00 p.m.

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- B) All waterfowl hunting parties must use at least 12 decoys and hunt at least 200 yards from the next hunting party.
- C) No permanent blinds will be allowed on the area. No one has any prior claim or right to any blind site. First-come, first-served rule prevails. Blinds shall be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of each day's hunt.
- D) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
- E) No one under 16 years of age shall hunt or attempt to hunt on the area unless accompanied by an adult due to safety factors.
- F) The following regulations apply to the Doza Creek Waterfowl Management Area:
 - i) This area will be closed to all public use 3 days prior to waterfowl hunting season. No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
 - ii) Waterfowl, coot and archery deer hunting only will be allowed in this area during the duck hunting season.

~~13) Lake Shelbyville~~

~~It is unlawful for any unauthorized persons to enter a duly posted restricted area:~~

- 14) Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area
 - A) Waterfowl hunting will be permitted as described below except in duly posted restricted and "No Hunting" areas.
 - B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas will be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties will register for drawings between 4:00 a.m. and 5:00 a.m. Central Daylight Time (3:00 a.m. and 4:00 a.m. Central Standard Time) on those days. Each party drawn will be allowed to choose one of the staked sites in the waterfowl area. Parties will select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations will apply:
 - i) All parties must hunt within 10 yards of their assigned stake.

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- ii) All parties must be in place by one-half hour before shooting time.
- iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas will be restricted to designated, staked sites on a first-come, first-served basis except as noted in subsections (A) and (B) above. A hunting party must hunt within 10 yards of the stake.
- D) Daily shooting hours will be from legal opening to 1:00 p.m.
- E) Waterfowl hunters must maintain a distance of 200 yards between parties except as described in subsection (B) above. (A hunting party shall be defined as an individual or group of hunters occupying a single boat, blind, or hunting site).
- F) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.
- G) The building of permanent blinds of any kind or other structural works is prohibited. All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.
- H) No goose pits shall be built or dug.
- I) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.
- J) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.
- K) During the regular waterfowl season, no bank or boat fishing will be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.

~~15) Little Black Slough~~

- A) ~~No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.~~

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~~B) Dedicated Nature Preserve areas are closed to hunting.~~~~16) Lower Cache River State Natural Area~~

~~A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.~~

~~B) Dedicated Nature Preserve areas are closed to hunting.~~~~17) Mermet~~

~~A) Waterfowl hunting will be permitted only during the duck hunting season.~~

~~B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds will be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.~~

~~C) The daily drawing shall be held one hour prior to legal shooting time.~~

~~D) All members of the hunting party shall register as a group (not to exceed 4 people per group) for the purpose of the drawing.~~

~~E) Those hunters in the blind area shall park in designated areas. These parking areas will be numbered to correspond with particular blind sites located along the levee road.~~

~~F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.~~

~~G) Deer, squirrel and woodcock may not be taken in the waterfowl areas after the opening of the waterfowl season.~~

~~H) Daily hunting hours shall be the legal opening until 12:00 Noon local time.~~

~~I) All boats are prohibited from entering the duly posted waterfowl refuge (Main Lake) from October 1 until the close of the waterfowl season.~~

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~~16) Mississippi River Area Fish and Wildlife Area~~

~~A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.~~

~~B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.~~

~~C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.60(e), will be given one week to correct deficiencies. Blinds failing the second inspection will be reassigned to alternates selected at a drawing on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.~~

~~17) Pike County Conservation Area~~

~~Statewide season regulations apply except that the season closes November 30 or the legal statewide closing, whichever is earlier, in Area A.~~

~~18) Rend Lake Project Lands and Waters~~

~~A) All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.~~

~~B) No goose pits or permanent blinds shall be dug or built on State Project lands.~~

~~C) All waterfowl hunters and all boats must be out of the Wildlife Management Areas by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m.~~

~~D) No hunting will be permitted from the subimpoundment dams.~~

~~E) No waterfowl hunting will be permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.~~

~~F) The distance between waterfowl hunting parties shall be no less than 200 yards. (A hunting party shall be defined as an individual or group of hunters occupying a single boat, blind, or hunting site).~~

~~G) All boat traffic is prohibited from entering the duly posted waterfowl refuge and the subimpoundments from 2 weeks before waterfowl season~~

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until March 1 except that boats used by waterfowl hunters are permitted in the subimpoundments from 4:30 a.m. until 2 p.m. during the waterfowl season.

- H) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
- I) ~~All waterfowl hunting along an east-west line running 200 yards north of the Casey Fork Subimpoundment Dam will be within 10 feet of staked locations. Permanent blinds at the Whistling Wings Access Area will be allocated by a daily drawing at 5:30 a.m.~~
- J) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- K) Daily shooting hours for waterfowl will be from legal opening time to 1:00 p.m.
- L) The land portion of the Rend Lake Refuge is closed to trespassing at all times. The location of the Rend Lake Refuge is described as follows:
- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
 - ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
 - iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
 - iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
 - v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
 - vi) Bounded on Nason Point by refuge boundary signs at project limits.
- ~~M) It shall be unlawful to be in possession of firearms on the waters of Rend Lake between the hours of 2:00 p.m. and 4:30 a.m. each day of the waterfowl hunting season and for 24 hours prior to the opening day of waterfowl hunting season.~~

~~24719) Rice Lake (Walk-in and Copperas Creek Management Units)~~

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- A) Hunting will be alternated between units every other day beginning with opening day at the walk-in unit, and shall be limited to 20 hunters per day.
- B) Hunters shall be determined by a daily drawing at the designated check station.
- C) Shooting hours shall be from legal opening time until 12:00 Noon. Statewide bag and possession limits apply on this area.
- ~~22720) Saline County Conservation Area~~
- A) Waterfowl hunting is allowed north of the township road only.
- B) Walk-in hunting only.
- ~~22721) Sanganois~~
- A) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.
- B) Walk-in waterfowl hunting will be permitted only in the area posted for this purpose.
- C) All hunters using this area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.
- D) Upon the completion of hunting, hunters must report to the check station within one hour.
- E) Fishing is prohibited in the impoundment areas during the waterfowl season.
- F) No person shall trespass on the Barkhausen Refuge during the period from October 1 through December 31.
- G) No person shall trespass on the Marion-Pickrel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.
- H) Walk-in area legal opening until 12:00 noon during duck season. When the central zone goose season extends beyond the duck season, goose hunting will be permitted with statewide shooting hours in effect.

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Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.

24/22 Sangchris Lake State Park

- A) Hunting hours are legal opening until 12:00 Noon.
- B) ~~Hunters will participate in daily drawing commencing 2 hours prior to sunrise. Blind sites not selected during the drawings will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated until 9:00 a.m. Further, no blind sites will be allocated after 10:00 a.m.~~ Blind sites will be allocated by a daily drawing to be conducted two hours prior to shooting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated until 9 a.m. Further, no blind sites will be allocated after 10 a.m. (during that portion of the goose season which follows the duck season, the west arm blind sites only will be available for goose hunting and will be allocated on a first-come, first-served basis.
- C) All hunting will be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.
- D) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.
- E) There will be a duly posted waterfowl refuge located at the north end of the lake that will include all waters of the lake located north of right angles to (in an east and west direction) the peninsula created by the junction of the east and west arms. This area will be closed to all boat traffic and boat fishing during the duck/waterfowl season. Bank fishing along the dam will be permitted.
- F) A waterfowl refuge will be located on State land between the east and west arms of the lake. Additional refuges are located on waters from the junction of the center arm and the east arm of the lake north to the refuge area, the area adjacent to the power plant is utilized as a fly ash pond and the south portion of the west arm will be duly designated as inviolate areas.
- G) ~~Waterfowl hunting will close with conclusion of duck season.~~
- H) ~~No more than 4 persons shall occupy a blind at one time.~~
- I) ~~Waterfowl hunting will be permitted on State leased lands and waters in the Sangchris Lake State Park area, except in duly posted refuge~~

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areas, developed recreation areas, a minimum of 300 yards from all high lines and 500 feet from construction or industrial sites. The center arm of the lake will be closed to all waterfowl hunting.

- J) Blind sites will be determined by the Department of Conservation and marked with a numbered stake. When it is deemed necessary, the Department of Conservation will remove, move or close blind sites in order to carry out the operations of the overall management program.
- K) ~~Blind sites will be allocated on a daily draw basis.~~
- L) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.
- M) Access to blind sites will be by boat only and from designated boat launch sites, the West Hill Boat Launch and the East Harbor Boat Launch. A corridor located north of the Middle Peninsula along the southern edge of the existing refuge will be established to provide access to the west arm of the Lake from the East Harbor Boat Launch when the West Hill Boat Launch is closed. Such notice of corridor use will be announced prior to the blind drawing for that day.
- N) All hunting must be from 1 portable blind or 1 anchored portable blind located within a numbered cove and between the assigned numbered stakes. Portable blinds or boat blinds must have been completed, including final brushing, before entering the area, and removed at the end of each hunting day. Cutting of natural vegetation for any purpose will be unlawful.
- O) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- P) No pits or blinds will be built on State leased or Commonwealth Edison land.
- Q) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.
- R) Corridor - Water travel lane, during waterfowl season only, for boating back and forth to blind sites.
- S) Fishing will be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the waterfowl/duck season. Fishing will be prohibited in the west arm of the lake during that portion of the goose season that follows the duck season.

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~~27R~~ Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.

~~27S~~ When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Conservation will close the lake area to all fishing and all boating activity except for non-water hunting programs.

~~26~~23 Shawnee National Forest, Bluff Lake

- A) Goose hunting is prohibited.
- B) Shooting hours: legal opening until noon.
- C) No permanent blinds or other structures may be constructed on the site.

~~26~~24 Shawnee National Forest, LaRue Scatters

- A) All hunting will be by walking in or in boats without motors.
- B) Shooting hours for all species in this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.

~~27~~25 Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)

- A) All hunting will be by walking into the area.
- B) Shooting hours for all species on this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with Statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.
- D) Each hunting party will be required to hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
- E) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the sub-impoundment area.

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NOTICE OF PROPOSED AMENDMENTS

~~26~~26 Stephen A. Forbes

A) Daily hunting hours are legal open to 1:00 p.m.

B) On the main lake hunting is allowed from a boat blind only and must be within 100 yards of a staked location.

C) Only walk-in hunting is allowed in the sub-impoundment. Hunting must occur within 100 yards of a staked location.

D) Hunting will be allowed on a first-come, first-served basis. All hunters must use 12 decoys, minimum.

~~26~~27 Ten Mile Creek Fish and Wildlife Area

- A) Permit required.
- B) All blinds must be of portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.
- C) No goose pits or permanent blinds shall be dug or built on State lands.
- D) The distance between waterfowl hunting parties or blind sites shall be no less than 200 yards.
- E) Waterfowl hunters must obtain permit prior to hunting.
- F) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

~~G) It is unlawful to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.~~

~~H) I~~ Areas designated as REFUGE are closed to all access during the Canada Goose Season only. REFUGE designation has been given to all land in Unit I, and the 260 acre tract at the Western edge of Unit II.

~~26~~28 Union County (Firing Line Waterfowl Management Area)

- A) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.
- B) This area will be closed at 12 noon during the goose season.
- C) Hunters may not possess more than 405 shells ~~not shot larger than size 12 until January 1. During the January Goose Season, hunters may~~

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possess up to 15 shells with shot not larger than size T steel for each Canada Goose or subspecies allowed in the daily bag.

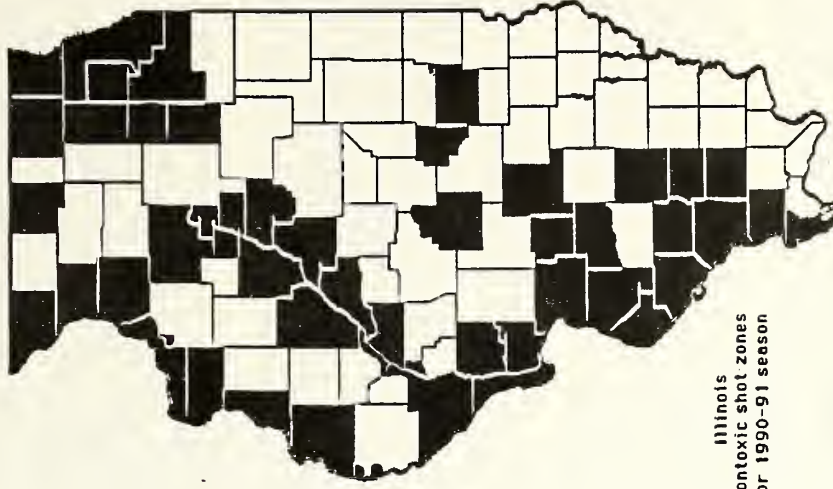
- D) Waterfowl hunting from staked sites only.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Section 590. EXHIBIT A The Non-Toxic Shot Zones of Illinois (Repealed)



Illinois
Nontoxic shot zones
for 1990-91 season

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Possession of Specimens or Products of Endangered and Threatened Species

2) CODE CITATION: 17 Ill. Adm. Code 1070

3) SECTION NUMBERS: PROPOSED ACTION:

1070.20 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Section 4 and 11(c) of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1989, ch. 8, pars. 334 and 341(c)).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:

These amendments are being amended to incorporate language to exempt licensed fur buyers and fur processors from the requirement to obtain an endangered species permit for the importation, possession, or sale of pelts of listed species when those pelts have been legally acquired.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF CONSERVATION
 SUBCHAPTER C: ENDANGERED SPECIES

PART 1070

POSSESSION OF SPECIMENS OR PRODUCTS OF
 ENDANGERED OR THREATENED SPECIES

Section

1070.10	Definitions
1070.20	Permit Requirements
1070.30	Permit Provisions
1070.40	Limited Permit Provisions
1070.50	Reporting Requirements
1070.60	Facilities and Welfare Standards (Animal)
1070.70	Facilities Standards (Plant)
1070.80	Revocation

AUTHORITY: Implementing and authorized by Sections 4 and 11(c) of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1989, ch. 8, pars. 334 and 341(c)).

SOURCE: Adopted 13 Ill. Reg. 14934, effective September 6, 1989; amended at 14 Ill. Reg. 18264, effective October 29, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 1070.20 Permit Requirements

- a) It shall be unlawful for any person to take, possess, transport, purchase, or dispose of specimens or products of an endangered or threatened animal or federal endangered plant after the date of listing unless a valid permit for such activity has been issued pursuant to this Part or as otherwise provided for in this Section or 17 Ill. Adm. Code 1590 (Falconry and the Captive Propagation of Raptors) or Ill. Rev. Stat. 1989, ch. 61, pars. 3.11, 3.12, 3.15, 3.16 and 3.18.

- b) Any person having a current, valid permit issued by the U.S. Fish and Wildlife Service pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) or an Exhibitor Permit issued by the U.S. Department of Agriculture for the taking, possession, transportation, purchase, or disposal of species designated as endangered or threatened by the Secretary of the Interior of the United States and not known to occur within the State of Illinois, shall be considered to have met the requirements for issuance of

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a permit pursuant to this Part and shall be issued a permit upon request.

- c) Notwithstanding subsection (a), any person may possess or transport a species on the Illinois list within Illinois for purposes such as circuses, theatrical acts, carnivals, or displays, provided that the listed species is held under a current, valid permit for such purposes issued by the U.S. Fish and Wildlife Service pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) or an Exhibitor Permit issued by the U.S. Department of Agriculture or the appropriate authorities of a state other than Illinois, for a period not to exceed thirty (30) days in any calendar year.
- d) Notwithstanding subsection (a), any employee or agent of the Department or the Board or the U.S. Fish and Wildlife Service who is designated by that agency for such purposes, shall be authorized, when acting in the course of his official duties, to take endangered or threatened animals without a permit if such action is necessary to aid a sick, injured or orphaned specimen; or dispose of a dead specimen; or salvage a dead specimen which may be useful for scientific study or educational purposes.
- e) Any taking pursuant to subsection (d) must be reported in writing to the Program Manager within ten (10) working days.
- f) It shall be unlawful for any person to possess, purchase, or dispose of specimens or products of an endangered or threatened animal or federal endangered plant which was in the possession of that person prior to May 1, 1973, or acquired legally out-of-state unless a valid limited permit for such activity has been issued pursuant to this Part, which permit shall be issued upon proof of pre-Act or legal acquisition.
- g) It shall be unlawful for any person to propagate or attempt to propagate any endangered or threatened animal or federal endangered plant unless a valid permit specifically allowing such activity has been issued pursuant to this Part.
- h) It shall be unlawful for any person to perform taxidermic services upon any product of an endangered or threatened species except as allowed by this Part.

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i) It shall be unlawful for any person to possess an endangered or threatened animal for purposes of veterinary rehabilitation for a period exceeding ninety (90) days unless a valid permit for such activity has been issued pursuant to this Part. Only persons holding a rehabilitation permit issued by the Department shall possess endangered or threatened animals for such purposes. All rehabilitators are required to notify the Program Manager within 10 working days of the receipt of any endangered or threatened animals. Release of rehabilitated animals shall be only at the location at which the animal was collected or at another location approved by the Department.

j) Permits issued under this Part or valid copies thereof must be in the possession of the holder or his agent when engaged in activities involving endangered or threatened animals or federal endangered plants and presented upon demand to any authorized officer or agent of the Department or any police officer of the State of Illinois or of any unit of local government within the State of Illinois.

k) No person shall transfer a permit issued pursuant to this Part to another person.

l) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is employed by or under contract to the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.

m) The authorizations on the face of a permit which allow specific activities (e.g. taking, possession, disposal), specify numbers or quantities of specimens or products, or otherwise permit a specifically limited matter, are to be strictly construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.

n) A permittee who furnishes his permit to the Director for endorsement or correction in compliance with this Part may continue those activities authorized by the permit pending its return.

o) All correspondence regarding permits issued pursuant to this Section shall be addressed to:

Endangered Species Program Manager
Division of Natural Heritage
Illinois Department of Conservation
524 S. Second Street
Springfield, IL 62701-1787

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) Heading of the Part: COUNTY JAIL STANDARDS

2) Code Citation: 20 Ill. Adm. Code 701

3) Section Numbers: Proposed Action:
701.270 Amend

4) Statutory Authority: Implementing and authorized by Section 3-15-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-15-2.

5) A Complete Description of the Subjects and Issues Involved: Public Act 86-1163, effective August 10, 1990, allows minors who are at least 15 years of age who are being prosecuted under the Criminal Code of 1961 to be confined in a county jail by order of the court. Prior to this legislation, no minor could be detained in a county jail for more than six hours. This rulemaking adds the provisions of the Public Act in Section 701.270(a); clarifies that Section 701.270(b) applies only to youth adjudicated as delinquent minors; and adds Section 701.270(c) which provides standards for confinement of youth by court order. The standards added in subsection (c) are updated, reinstated standards which were removed from the rule November 1, 1989, when the law prohibited detaining minors in county jails for more than six hours.

6) Will this proposed rule replace an emergency rule currently in effect?
No.

7) Does this rulemaking contain an automatic repeal date? Yes
X No

8) Does this proposed amendment contain incorporation by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State mandates; it merely reflects Public Act 86-1163 and provides standards for confinement of juveniles in county jails which are different from or in addition to existing standards applicable to confinement of adults.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

William H. Craine, Ph.D., Deputy Director
Illinois Department of Corrections

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277

All written comments received within 45 days of the date of this publication will be considered.

12) Initial Regulatory Flexibility Analysis: Not required; this rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER f: COUNTY STANDARDS

PART 701
COUNTY JAIL STANDARDS

Section	
701.5	Definitions
701.10	Administration, Minimum Standards
701.20	Personnel
701.30	Records
701.40	Admission Procedures
701.50	Orientation
701.60	Release Procedures
701.70	Classification, Separation, Segregation
701.80	Housing
701.90	Medical and Health Care
701.100	Clothing, Personal Hygiene, Grooming
701.110	Food Services
701.120	Sanitation
701.130	Supervision
701.140	Security
701.150	Safety
701.160	Discipline
701.170	Employment of Detainees
701.180	Mail Procedures
701.190	Telephone
701.200	Visiting
701.210	Social Service Programs
701.220	Education
701.230	Library
701.240	Religious Services
701.250	Commissary
701.260	Recreation and Leisure Time
701.270	Juvenile Detention

AUTHORITY: Implementing and authorized by Section 3-15-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-15-2).

SOURCE: Emergency rule adopted November 7, 1974; amended at 4 Ill. Reg. 28, p. 186, effective July 1, 1980; codified at 8 Ill. Reg. 14408; amended at 12 Ill. Reg. 12274, effective October 1, 1988; amended at 13 Ill. Reg. 16739, effective November 1, 1989; amended at 14 Ill. Reg. 20402, effective January 1, 1991; amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

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NOTICE OF PROPOSED AMENDMENTS

Section 701.270 Juvenile Detention**a) Introduction**

Sections 5-3 and 5-7 of the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1989, ch. 37, pars. 805-3 and 805-7, as amended by P.A. 86-1163, effective August 10, 1990) state:

- 1) "DELINQUENT MINOR" MEANS ANY MINOR WHO PRIOR TO HIS 17TH BIRTHDAY HAS VIOLATED OR ATTEMPTED TO VIOLATE, REGARDLESS OF WHERE THE ACT OCCURRED, ANY FEDERAL OR STATE LAW OR MUNICIPAL ORDINANCE.
- 2) "DETENTION" MEANS THE TEMPORARY CARE OF A MINOR ALLEGED OR ADJUDICATED AS A PERSON DESCRIBED IN SUBSECTION (a)(1) OF THIS SECTION WHO REQUIRES SECURE CUSTODY FOR HIS OR HER OWN OR THE COMMUNITY'S PROTECTION IN A FACILITY DESIGNED TO PHYSICALLY RESTRICT HIS OR HER MOVEMENTS, PENDING DISPOSITION BY THE COURT FOR PLACEMENT OR COMMITMENT. DESIGN FEATURES WHICH PHYSICALLY RESTRICT MOVEMENT INCLUDE, BUT ARE NOT LIMITED TO, LOCKED ROOMS AND THE SECURE HANDCUFFING OF A MINOR TO A RAIL OR OTHER STATIONARY OBJECT.
- 3) "JUVENILE DETENTION HOME" MEANS A PUBLIC FACILITY WITH SPECIALLY TRAINED STAFF THAT CONFORMS TO THE COUNTY JUVENILE DETENTION STANDARDS (20 Ill. Adm. Code 702).
- 4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (a)(5) OF THIS SECTION, NO MINOR SHALL BE DETAINED IN A COUNTY JAIL OR MUNICIPAL LOCKUP FOR MORE THAN SIX HOURS.
 - A) THE PERIOD OF DETENTION IS DEEMED TO HAVE BEGUN ONCE THE MINOR HAS BEEN PLACED IN A LOCKED ROOM OR CELL OR HANDCUFFED TO A STATIONARY OBJECT IN A BUILDING HOUSING A COUNTY JAIL OR MUNICIPAL LOCKUP. TIME SPENT TRANSPORTING A MINOR IS NOT CONSIDERED TO BE TIME IN DETENTION OR SECURE CUSTODY.
 - B) ANY MINOR SO CONFINED SHALL BE UNDER PERIODIC SUPERVISION AND SHALL NOT BE PERMITTED TO COME INTO OR REMAIN IN CONTACT WITH ADULTS IN CUSTODY IN THE BUILDING.

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C) UPON PLACEMENT IN SECURE CUSTODY IN A JAIL OR LOCKUP, THE MINOR SHALL BE INFORMED OF THE PURPOSE OF THE DETENTION, THE TIME IT IS EXPECTED TO LAST AND THE FACT THAT IT CANNOT EXCEED SIX HOURS.

D) A LOG SHALL BE KEPT THAT SHOWS THE OFFENSE WHICH IS THE BASIS FOR THE DETENTION, THE REASONS AND CIRCUMSTANCES FOR THE DECISION TO DETAIN AND THE LENGTH OF TIME THE MINOR WAS IN DETENTION.

E) VIOLATION OF THE 6-HOUR TIME LIMIT ON DETENTION IN A COUNTY JAIL OR MUNICIPAL LOCKUP SHALL NOT, IN AND OF ITSELF, RENDER INADMISSIBLE EVIDENCE OBTAINED AS A RESULT OF THE VIOLATION OF THIS 6-HOUR TIME LIMIT.

F) NO MINOR UNDER 16 YEARS OF AGE MAY BE CONFINED IN A JAIL OR PLACE ORDINARILY USED FOR THE CONFINEMENT OF PRISONERS IN A POLICE STATION. MINORS UNDER 17 YEARS OF AGE SHALL BE KEPT SEPARATE FROM CONFINED ADULTS AND MAY NOT AT ANY TIME BE KEPT IN THE SAME CELL, ROOM OR YARD WITH ADULTS CONFINED PURSUANT TO CRIMINAL LAW.

5) WHEN A MINOR WHO IS AT LEAST 15 YEARS OF AGE IS PROSECUTED UNDER THE CRIMINAL CODE OF 1961, THE COURT MAY ENTER AN ORDER DIRECTING THAT THE JUVENILE BE CONFINED IN THE COUNTY JAIL. HOWEVER, ANY JUVENILE CONFINED IN THE COUNTY JAIL UNDER THIS PROVISION SHALL BE SEPARATED FROM ADULTS WHO ARE CONFINED IN THE COUNTY JAIL IN SUCH A MANNER THAT THERE WILL BE NO CONTACT BY SIGHT, SOUND OR OTHERWISE BETWEEN THE JUVENILE AND ADULT PRISONERS. THIS SUBSECTION SHALL NOT APPLY IN A COUNTY HAVING MORE THAN 3 MILLION INHABITANTS.

b) Minimum Standards for Detention of Youth Adjudicated as Delinquent Minors

The following standards for juvenile detention of delinquent minors provide added requirements, restrictions, or emphasis.

1) Notification of Detention

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A parent, legal guardian, or person with whom the minor resides shall be notified of the minor's detention if the law enforcement officer has been unable to do so.

2) Records

A) Records of all minors under 17 years of age must be maintained separate from the records of adult arrests. Names of juveniles shall not be recorded in the same ledgers, jail registrars, monthly population reports or other records that are subject to public review.

B) Records shall not be open to public inspection or their contents disclosed to the public, except by order of the court or when the institution of criminal proceedings has been permitted or the person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation.

3) Supervision

A) Detainees shall, under the following conditions, be provided with supervision by a person of the same sex:

i) When following established procedures which require physical contact or examination such as body searches.

ii) During periods of personal hygiene activities and care such as showers, toileting, and related activities.

B) This subsection does not prohibit the use of necessary force by a staff member of a sex other than that of a detainee.

C) A periodic visual check of juveniles confined shall be made by personal observation, not including observation by a monitoring device. Periodic is defined to be a minimum of at least once every 15 minutes.

D) Visual checks shall be recorded by a mechanical device or logged in ink indicating:

i) Time of check;

ii) Signature of responsible person; and

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- iii) Any relevant remarks.
- 4) Cell or Detention Room Occupancy
- Cells or detention rooms must include access to:
- A) Toilet facilities;
 - B) A washbowl; and
 - C) Drinking water, in the form of drinking cups or a drinking fountain.
- 5) Meals
- Detainees shall be provided with meals when they are detained during the facility's normal meal periods.
- 6) Child Abuse
- Any evidence of child abuse shall be reported to the Illinois Department of Children and Family Services.
- c) Minimum Standards for Detention of Youths Prosecuted Under the Criminal Code of 1961

The standards in the preceding Sections of this Part apply equally to minors under 17 years of age who are prosecuted under the Criminal Code of 1961. The following standards provide additional requirements, restrictions or emphasis on detention standards for minors confined to a county jail as directed by court order.

1) Detention Admissions

Only those youth who are at least 15 years of age, who are being prosecuted under the Criminal Code of 1961 and who are being confined in a county jail under court order may be held in excess of six hours.

- A) When a minor is delivered to the jail, a probation officer or such other public official designated by the court shall immediately investigate the circumstances of the minor and the facts surrounding his being taken into custody. The jail officer accepting persons for confinement must determine that each is being confined under proper legal authority.

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- B) A parent, legal guardian or person with whom the minor resides shall be notified of the location of confinement if the law enforcement officer or court officer has been unable to do so.

2) Records

- A) Records of all minors under 17 years of age must be maintained separate from the records of adult arrests. Names of juveniles shall not be recorded in the same ledgers, jail registers, monthly population reports or other records that are subject to public review.
- B) Records may not be open to public inspection or their contents disclosed to the public, except by order of the court or when the institution of criminal proceedings has been permitted or the person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation.

3) Confinement

Minors under 17 may be confined in cells or rooms in a jail or place ordinarily used for confinement of prisoners at a county jail, but these cells or rooms for the minors must be separate and distinct from the cells or rooms in which adults are confined. This does not preclude the very brief use of entrances, corridors, elevators and booking areas prior to actual confinement.

- A) Separate and distinct shall mean no visual and/or auditory contact.
- B) The same jail facilities may be used, but not simultaneously with adults.

4) Supervision

Staff providing supervision for minors under 17 shall receive training in understanding the methods and techniques of juvenile care.

- A) Supervision of minors under 17 shall be maintained by visual contact with each youth no less than once every 30 minutes.

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- B) A shift log, in ink, shall be maintained as a record of incidents and activities, including supervisory checks, occurring on the shift.
- C) Supervision shall be provided by a person of the same sex under the following conditions:
- i) When procedures which require physical contact or examination such as body searches are made.
 - ii) During periods of personal hygiene activities and care such as showers, toileting and related activities.
 - iii) This standard does not prohibit the use of necessary force by a staff member of a sex other than that of a detainee.

5) Housing and Day Rooms

- A) To ensure reasonable security, sanitation and personal comfort, minors shall be assigned cells or detention rooms designated as single occupancy.
- B) At least 50 square feet of floor space shall be provided in each cell.
- C) At least 64 square feet of floor space shall be provided for each detention room.
- D) A dayroom area must be provided with a minimum of 35 square feet per detained minor for each cellblock or detention room cluster.

E) Each sleeping area shall be equipped with a rigidly constructed metal bed securely fastened to the wall or floor or a concrete sleeping surface (see Section 701.80(b)(3)(A)); a toilet; washbasin with hot and cold running water; a suitable flame retardant mattress; mattress covering and bed covers suited to individual needs; and illumination sufficient to guarantee distinct visual supervision and a comfortable reading level.

6) Personal Hygiene

Clothing changes, showers, shaving and other personal hygiene activities shall conform, at minimum, with those standards pertaining to adult detainees.

7) Food Service

- A) Food preparation, menu, diet, food service and meal schedules shall conform to the needs of growing adolescents. A minimum of 2,500 to 3,000 calories per day shall be provided.
- B) Food service dining areas cannot be shared simultaneously with adults.

8) Activities

Each youth shall have a minimum of eight hours daily of dayroom and recreation activity, except when behavior endangers required security; jeopardizes the safety and well-being of staff and other detained youth; or is a threat to himself; or to protect property.

- A) Appropriate reading materials, table games in sufficient quantities and radio and/or television shall be provided.

- B) Recreation of an energetic nature shall be provided and outdoor activities shall be scheduled when appropriate facilities exist.

9) Education

- A) A regular schedule of academic instruction and related educational services appropriate to the needs of each individual shall be provided for those youth detained beyond 36 hours, with arrangements made through the appropriate school district.

- B) Coeducational classes may be scheduled.

10) Psychiatric and Social Services

Access to psychiatric, psychological, casework and counseling services shall be provided as needed in individual cases.

11) Visiting

- A) A liberal visiting schedule shall be established identifying no fewer than two visiting days each week, one of which must be during the evening hours and one during the weekend, and including all holidays.

B) Visits from attorneys, clergy, social workers, probation officers or other persons professionally associated with a youth's case shall be permitted at reasonable non-scheduled hours. These visits shall not count against any limitation which may be placed on the number of visits allowed.

12) Child Abuse

Any evidence of child abuse shall be reported to the Illinois Department of Children and Family Services.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

1) Heading of the Part: Fire Equipment Program Administrative Regulations

2) Code citation: 41 Ill. Adm. Code 260

3) Section numbers: Proposed Action:

260.10	New Section
260.15	New Section
260.20	New Section
260.25	New Section
260.30	New Section
260.35	New Section
260.40	New Section
260.45	New Section
260.50	New Section
260.55	New Section
260.60	New Section
260.65	New Section
260.70	New Section
260.75	New Section
260.80	New Section
260.85	New Section

4) Statutory Authority: Implementing and authorized by Section 7 of the Fire Equipment Distributor and Employee Regulation Act (Ill. Rev. Stat. 1987, ch. 11, par. 8007).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking specifies the administrative rules for the fire equipment distributor and employee program.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? Yes.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: The Office of the State Fire Marshal is not aware of any local governments directly impacted by this rulemaking.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit written comments on this proposal within 30 days after publication to:

Jack Ahern
Deputy State Fire Marshal
Office of the State Fire Marshal
Division of Fire Prevention
1035 Stevenson Drive
Springfield, Illinois 62703-4259

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 7, 1991
- B) Types of small businesses affected: Fire Equipment Distributors.
- C) Reporting, bookkeeping or other procedures required for compliance: Distributors and their employees must complete application forms. Employees must file certain reports (non-compliance, completion, and maintenance reports). Employees must also take an examination.
- D) Types of Professional skills necessary for compliance: Professional skills are job related; these rules do not require any skills other than those required for occupational performance.

The full text of Proposed Rule(s) begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

TITLE 41: FIRE PROTECTION
CHAPTER 1: OFFICE OF THE STATE FIRE MARSHALPART 260
FIRE EQUIPMENT PROGRAM ADMINISTRATIVE REGULATIONS

SECTION

- 260.10 Definitions
- 260.15 Fire Equipment Distributor License
- 260.20 Initial License Criteria for a Fire Equipment Distributor
- 260.25 Renewal of Fire Equipment Distributor License
- 260.30 Amending Current Distributor License
- 260.35 Fire Equipment Distributor Employee License
- 260.40 Initial License Criteria for Fire Equipment Distributor Employee
- 260.45 Provisional Employee Licenses
- 260.50 Renewal of Fire Equipment Distributor Employee License
- 260.55 Miscellaneous Fees
- 260.60 Examinations
- 260.65 Grounds for Revocation, Suspension or Refusal to Issue a License
- 260.70 Complaints, Investigation, and Formal Charges
- 260.75 Administrative Hearing
- 260.80 Sanctions to be Imposed for Violators
- 260.85 Exemptions to Licensing

AUTHORITY: Implementing and authorized by Section 7 of the Fire Equipment Distributor and Employee Regulation Act (Ill. Rev. Stat. 1989, Ch.III, par. 8007).

SOURCE: Adopted at ____Ill. Reg._____, effective _____.

Section 260.10 Definitions

"Act". Public Act 85-1434, known and cited as the "Fire Equipment Distributor and Employee Regulation Act".

"Distributor License". An Annual license issued to a distributor upon submittal of requisite forms designated by the Office, and the payment of fees outlined in the Act.

"Employee". A licensee or person who is currently employed by a distributor licensed under this Act, whose full or part-time duties include servicing, recharging, hydrotesting, installing, maintaining, or inspecting all types of fire extinguishing devices or systems other than water sprinkler systems.

"Employee License". A license issued to an employee after submitting an application to the Office, paying the fees outlined in the Act, and successfully passing the requisite examinations. This license is to be renewed annually upon payment of requisite fees.

"Fire Equipment Distributor". Any person, company or corporation which services, recharges, hydrotests, inspects, installs, maintains, alters, repairs, or replaces fire extinguishing devices or systems, other than water sprinklers.

"NFPA" The term, NFPA, means the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269. The number following the NFPA is the standard number and is followed by the year designating the year of publication (or edition). Where the Office has adopted a standard, no later editions, or amendments are included.

"Office". Office of the Illinois State Fire Marshal.

Section 260.15 Fire Equipment Distributor License

No person shall act as a Fire Equipment Distributor, advertise or assume to act as such, or use any title that such person is engaged in such practice or occupation unless licensed by the State Fire Marshal.

No firm, association, or corporation shall act as an agency licensed under this Act, or advertise or assume to act as such, or use any title implying that such firm, association or corporation is engaged in such practice, unless licensed by the State Fire Marshal.

Section 260.20 Initial License Criteria for a Fire Equipment Distributor

- a) Any person, company, or corporation which services, recharges, installs, hydro-tests, inspects, maintains, alters, repairs, or replaces fire extinguishing devices or systems, other than water sprinkler systems, shall accomplish the following to become licensed as a Fire Equipment Distributor:

- 1) Submit a completed application to the Office, (this form shall be provided by the Office.
- 2) An initial application fee of \$100, and an annual license fee of \$1,000 or an annual license fee of \$500 if the Distributor:
 - A) has fewer than 5 employees licensed under this Act; and
 - B) does not hold or has not applied for a Class C Fire Equipment Distributor License.

- 3) Provide evidence of registration as an Illinois corporation or evidence of compliance with "An Act in relation to use of assumed name in the conduct or transaction of business in this State", approved July 17, 1941, as amended.

- 4) Provide evidence of financial responsibility in a minimum amount of \$300,000 through liability insurance, self-insurance, group insurance, group self-insurance, risk retention group, a letter of credit or bond; and

- 5) Provide evidence of owning, leasing, renting, or having access to proper hydrostatic testing equipment that is in compliance with the national standards adopted by the State Fire Marshal for the maintenance and operation of such testing tools for use with all Class of fire equipment.

- b) Upon submission of the requisite information and fees, the applicant will be assigned a license number and issued a Certificate license.

- c) The Certificate shall be prominently displayed in the office of the distributor, or in such a location that the inspector may readily verify the Distributor's compliance with licensing requirements.

Section 260.25 Renewal of Fire Equipment Distributor License

Each distributor may apply for renewal of the license upon payment of the requisite fees, as set forth in Section 250.20. The expiration date and renewal period for each license under this Part shall be one year from the original date the initial application was processed by this Office. All application shall be date stamped upon receipt to the Office.

- a) Failure to renew within the 60 days from the expiration date shall lapse the license. The lapsed license may not be reinstated until a written application is filed, the renewal fee is paid, and the reinstatement fee is paid, (see Section 260.55).

- b) Renewal and reinstatement fees shall be waived for persons who did not renew while on active duty with the military, and who file for renewal or restoration within 1 year after discharge from such service.

Section 260.30 Amending Current Distributor Licenses

- a) Any licensed Fire Equipment Distributor which changes its name, address, or business organization (partnership, corporation, or sole proprietorship) shall inform the Office within 15 days, in writing, of such changes, and make payment for any requisite processing fees (see Section 250.60).

- b) Any licensed fire equipment distributor that currently holds a license from this Office, and applies for the additional classifications, and:

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- 1) If the application is made during the term of their current license, prior to their current expiration date, the distributor shall:
 - A) Submit a completed application which specifies the classifications to be added; and
 - B) submit payment of those additional fees computed in accordance with Section 260.20.
 - C) The expiration date of the license the distributor currently holds will remain the same for all classifications of the license, new and existing.
- 2) Distributors may add classifications to the license on the expiration or renewal date:
 - A) Submit a completed application which specifies the classification to be added; and
 - B) submit payment of those additional fees and payment of renewal fees.
 - C) Payment of fees outlined in Section 250.60 and a new expiration date and license shall be issued.
- c) Any Fire Equipment Distributor currently holding a Class A and/or B classification, who paid their initial fees based upon the fact that distributor had fewer than 5 employees licensed under this Act, and who does not hold or has not applied for a class C fire equipment distributor license, and increases the number of employees licensed under this Act to exceed 4 employees, or applies for a class C license, shall:
 - 1) Submit payment of the difference between the initial fees paid and those now due;
 - 2) Submit payment of fees outlined in Section 260.60.
 - 3) The current license expiration date will remain valid;

Section 260.35 Fire Equipment Distributor Employee License

A person who is currently employed by a distributor licensed under this Act, whose full or part-time duties include servicing, recharging, hydrotesting, installing, maintaining, or inspecting all types of fire extinguishing devices and/or systems, other than water sprinkler systems.

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Section 260.40 Initial License Criteria for Fire Equipment Distributor Employee

Each employee seeking a Class 1, 2, and/or 3 license shall provide:

- a) A completed application on forms provided by the Office; and
- b) payment of the requisite fees of \$20 per class of license the employee is seeking; and
- c) the employee must pass an examination.
- d) The employee shall be issued an identification card upon successful completion of the examination. This card shall be carried at all times during their time of employment.

Section 260.45 Provisional Employee Licenses

Provisional Employee Licenses were issued under Emergency Rule, 41 Ill. Adm. Code Part 251. The expiration date of these provisional licenses is set for May 31, 1991. This date will be extended to December 31, 1991.

- a) Any individual currently holding a provisional license shall have until December 31, 1991 to successfully pass the examination.
- b) Upon successfully passing the examination, the employee holding a provisional license shall be issued an Employee License with their annual expiration date.
- c) Any individual not holding a "Provisional License" upon adoption of this Part, must follow the requirements for "Trainee" as outlined in 41 Ill. Adm. Code, Part 250.

Section 260.50 Renewal of Fire Equipment Distributor Employee License

Each licensee shall apply for renewal of this license prior to the expiration date of their "Fire Equipment Distributor Employee License", not the expiration date of the "Provisional Employee License", and shall submit payment of the requisite fees.

- a) Failure to renew within the 60 days from the expiration date shall lapse the license. The lapsed license may not be reinstated until a written application is filed, the renewal fee is paid, and the reinstatement fee is paid, (see Section 260.55).

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- b) Renewal and reinstatement fees shall be waived for persons who did not renew while on active duty with the military, and who file for renewal or restoration within 1 year after discharge from such service.

Section 260.55 Miscellaneous Fees

- a) Branch Office Fee. If a fire equipment distributor has more than one office in this state, a branch office is required. A fee of \$50.00 will be assessed for each branch office license.
- b) Office Processing Fees.

- 1) A fee of \$50.00 is required if a check or other order is returned by a financial institution because of insufficient funds. An additional fee of \$100.00 shall be imposed for practicing without a current license, if that license has lapsed.
- 2) A lost license, change of name or address, or the addition of classifications or employees to a distributorship shall have a fee of \$20.00 assessed.
- 3) A fee of \$100.00 per classification shall be assessed to distributors whose license has lapsed for more than 30 days, and \$20.00 for each employee license which has lapsed for the same period of time.

Section 260.60 Examinations

- a) These examinations will be developed, provided and administered by Office personnel. The Office will schedule examinations at sites throughout the state.
- b) The Office will follow the guidelines for testing as outlined in 41 Ill. Adm. Code Part 140, when applicable.
- c) Examinations will be developed and derived from 41 Ill. Adm. Code Part 250, the Act, and the following NFPA editions:

NFPA 10 (1988)
 NFPA 96 (1987)
 NFPA 17 (1985)
 NFPA 17A (1986)
 NFPA 12 (1989) except Sections 1-10.1 through 1-10.1.5 shall apply only to new or replacement piping and fittings.
 NFPA 12A (1989) except Sections 1-10.1 through 1-10.1.6 shall apply only to new or replacement piping and fittings.
 NFPA 12B (1985)

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NFPA 72E (1987)
 NFPA 11, (1988)
 NFPA 11A, (1988)

Section 260.65 Grounds for Revocation, Suspension or Refusal to Issue a License.

Licenses subject to this Act shall conduct their practice in accordance with the Act and with 41 Ill. Adm. Code Part 250, and this Part. Licensees shall be subject to the exercise of the disciplinary sanctions enumerated in Section 260.75 if the State Fire Marshal finds that a licensee is guilty of any of the following and those other grounds enumerated in Section 17 of the Act:

- a) Fraud or material deception in obtaining or renewing of a license;
- b) professional incompetence as manifested by poor standards of service;
- c) engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public in the course of professional services or activities;
- d) convictions of any crime by a licensee which has a substantial relationship to his practices or an essential element of which is misstatement, fraud or dishonesty, or conviction in this or another state of any crime which is a felony under the laws of Illinois or conviction of a felony in court, unless such person demonstrates that he has been sufficiently rehabilitated to warrant the public trust;
- e) performing any services in the grossly negligent manner or permitting any of his licensed employees to perform services in a grossly negligent manner, regardless of whether actual damage or damages to the public is established;
- f) contracting or assisting unlicensed person to perform service for which a license is required under this Act;
- g) permitting the use of his license to enable any unlicensed person or agency to operate as a licensee;
- h) performing and charging for services without having authorization to do so from the members of the public being serviced;
- i) failure to comply with any provision of this Act or the rules promulgated pursuant thereto;
- j) conducting business regulated by this Act without a currently valid license.

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Section 260.70 Complaints, Investigation, and Formal Charges

- a) Complaints.
 - 1) All complaints concerning violations regarding licensees or unlicensed activity shall be submitted to the Office of the State Fire Marshal, Division of Fire Prevention, in writing, and signed by the complainant.
 - 2) All complaints will be directed to the program coordinator for investigation either by this Office or by the authority having jurisdiction.
- b) Investigation.
 - 1) The investigation of allegations of wrong doing on the part of the distributor or their employee, shall be investigated by the Office.
 - 2) The State Fire Marshal may summarily suspend a license under this Act, without a hearing, simultaneously with the filing of formal complaint and notice for a hearing provided under this Section if the State Fire Marshal finds that the continued operations of the individual would constitute an immediate danger to the public. In the event the State Fire Marshal suspends a license under this subsection, a hearing by the hearing officer designated by the State Fire Marshal shall begin within 20 days after such suspension begins, unless continued at the request of the licensee.
- c) Formal Charges.
 - 1) Following the investigative process, the State Fire Marshal may file formal charges against the licensee. Such formal charges shall, at a minimum, inform the licensee of the facts which are the basis of the charge and which are specific enough to enable the licensee to defend himself.
 - 2) Each licensee whose conduct is the subject of a formal charge which seeks to impose disciplinary action against the licensee shall be served notice of said formal charge at least 30 days before the date of the hearing.
 - 3) The notice of formal charge shall consist at a minimum of the following information:
 - A) The time, place and date of the hearing;
 - B) That the licensee shall have the right to appear personally at the hearing and may be represented by counsel;

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- C) That the licensee shall have the right to produce witnesses and evidence in his behalf and shall have the right to cross-examine witnesses and evidence produced against him;
- D) That the hearing could result in disciplinary action being taken against his license;
- E) That rules for the conduct of this hearings exist and it may be in his best interest to obtain a copy.
- 4) Service shall be considered to have been given if the notice was personally received by the licensee or if the notice was mailed certified, return requested to the licensee at the licensee's last known address as listed with the State Fire Marshal.
- 5) The State Fire Marshal may continue such hearing.

Section 260.75 Administrative Hearing

- Such hearing shall be presided over by a hearing officer authorized by the State Fire Marshal and following the conclusion of said hearing shall make findings of fact, conclusion of law and recommendations, separately stated, to the State Fire Marshal as to what disciplinary action, if any, should be imposed on the licensee; and
- a) The hearing officer authorized by the State Fire Marshal shall hear evidence produced in support of the formal charges and contrary evidence produced in support of the licensee, if any.
 - b) At the conclusion of the hearing, the hearing officer shall make findings of fact, conclusions of law, and recommendations, separately stated, and submit them to the State Fire Marshal and to all parties to the proceedings. Submission to the licensee shall be considered as having been made if done in a similar fashion as service of formal charges.
 - c) Within 20 days after such service, any party to the proceeding may present to the State Fire Marshal a motion, in writing, for a rehearing which written motion shall specify the particular grounds therefore.
 - d) The State Fire Marshal, following the time allowed for filing a motion for rehearing, shall review the hearing officer's findings of fact, conclusion of law, and recommendations, and any motions filed subsequent thereto. After review of such information that State Fire Marshal may hear oral arguments, and thereafter shall be the basis for the State Fire Marshal's order.

NOTICE OF PROPOSED RULES

- e) If the State Fire Marshal finds that substantial justice was not done, he may issue an order in contravention thereof.
- f) All proceedings pursuant to this Section are matters of public record and shall be preserved.
- g) The State Fire Marshal and the hearing officer approved by the State Fire Marshal, have the power to administer oaths at any hearing which the State Fire Marshal is authorized to conduct.
- h) All final administrative decisions of the State Fire Marshal are subject to judicial review pursuant to the provisions of the Administrative Review Law and the rules adopted pursuant thereto. Such proceedings for judicial review shall be commenced in the Circuit Court of the county in which the party applying for review resides; but if such party is not a resident of Illinois; the venue shall be in Sangamon County.

Section 260.80 Sanctions to be Imposed for Violators

- a) The State Fire Marshal shall impose any of the following sanctions, singly or in combination when it finds that a licensee is guilty of any offense described in Section 17(2) of the Act or Section 260.65 of this Part:
 - 1) Revocation;
 - 2) Suspension for any period of time;
 - 3) Reprimand or censure;
 - 4) Place on probationary status and require the submission of any of the following:
 - A) Report regularly to the State Fire Marshal upon matters which are the basis of the probation;
 - B) Such other reasonable requirements or restrictions as are proper.
 - 5) Refuse to issue, renew or restore;
 - 6) Revoke probation which has been granted and impose any other discipline in this subsection (a) when the requirements of probation have not been fulfilled or have been violated.

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- b) The State Fire Marshal shall reinstate any license to good standing under this Act, upon recommendation to the State Fire Marshal, after a hearing before the hearing officer authorized by the State Fire Marshal. The State Fire Marshal shall be satisfied that the applicant's renewed practice is not contrary to public interest.
- c) The State Fire Marshal may conduct hearings and issue cease and desist orders to persons who engaged in activities prohibited by this Act without having a valid license, certificate or registration. Any person in violation of a cease and desist order entered by the State Fire Marshal shall be subject to all of the remedies provided by law, and in addition, shall be subject to a civil penalty payable to the parties injured by the violation.
- d) An order of revocation, suspension, placing the license on probationary status or other formal disciplinary action as the State Fire Marshal may deem proper, or a certified copy thereof, over the seal of the State Fire Marshal, and purporting to be signed by the State Fire Marshal, is prima facie proof that:
 - 1) Such signature is that of the State Fire Marshal;
 - 2) That State Fire Marshal is qualified to act; and
 - 3) The hearing officer is qualified to act on behalf of the State Fire Marshal.
- e) Upon the suspension or revocation of a license issued under this Act, a licensee shall surrender the license to the State Fire Marshal and, upon failure to do so, the State Fire Marshal shall seize the same.

Section 260.85 Exemptions to Licensing

In accordance to Section 4 of the Act, this licensing requirement shall:

- a) Not apply to an officer or employee of this State, the fire department, or fire protection district of any political subdivision of this State while such officer or employee is engaged in the performance of his official duties within the course and scope of his employment with the State or any political subdivision. However, any such person who offers his services as a private fire equipment distributor or employee, or any title where similar services are performed for compensation, fee or other valuable consideration, whether received directly or indirectly, shall be subject to this Act and its licensing requirements.
- b) Not apply to any entity regulated by the federal government in which employees of the company engage in such activities incidental to its own business, as long as properly trained.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Closure
- 2) Code Citation: 89 Ill. Adm. Code 617
- 3) Section Numbers: Proposed Action:
617.30 Amendment
617.70 Repealed Section
- 4) Statutory Authority: Sections 3(a), (b) and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a), (b) and (k)).
- 5) A Complete Description of the Subjects and Issues involved:
Section 617.30 is amended to clarify language in (c)(3) and update a CFR reference in (c)(5).

Section 617.70 is being repealed as closures in work activity don't fit into the DORS philosophy of integration of persons with disabilities.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?
Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

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Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 617
CLOSURE

Section
617.10 General Applicability
617.20 Determination of Closure
617.30 Criteria for Being Determined "Rehabilitated"
617.40 Closure as an Unpaid Family Worker
617.50 Closure as a Homemaker
617.60 Closure in Sheltered Employment
617.70 Closure in a Work Activity Program (Repealed)
617.80 Vocational Outcome at Closure
617.90 Certification of Ineligibility
617.100 Client Participation in Closure Decision
617.110 Annual Review of Ineligibility Decision

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a),(b), and (k))

SOURCE: Adopted at 9 Ill. Reg. 8776, effective June 10, 1985; amended at 11 Ill. Reg. 4032, effective February 18, 1987; amended at 12 Ill. Reg. 6959, effective April 1, 1988; amended at 12 Ill. Reg. 11498, effective June 22, 1988; amended at 12 Ill. Reg. 17090, effective October 11, 1988; amended at 12 Ill. Reg. 17957, effective October 24, 1988; amended at 15 Ill. Reg. _____, effective _____.

Section 617.30 Criteria for Being Determined "Rehabilitated"

A determination that the client has been rehabilitated must meet the following criteria:

- a) the counselor provided guidance and counseling;
- b) VR services which were necessary and consistent with the client's goals and objectives in accordance with the Individualized Written Rehabilitation Program (IWRP) were provided;

c) the client has maintained suitable employment for at least 60 calendar days. Suitable employment is indicated when all of the following are present:

- 1) the client and employer are each satisfied as evidenced by the client's continued employment and as expressed by the client at the time of client participation in the closure decision (Section 617.100);
- 2) the client is maintaining adequate interpersonal relationships and acceptable behavior in the job environment as evidenced by the client's continued employment and as expressed by the client at time of client participation in the closure decision (Section 617.100);
- 3) the occupation is consistent with the client's capacities, abilities, and interests as documented in the client's Thorough Diagnostic Study (89 Ill. Adm. Code 552.90). (If the occupation is different than the client's vocational goal (89 Ill. Adm. Code 572.60(b)), the client must be alerted to-the-fact advised of the difference with documentation in the client's case file regarding this difference (89 Ill. Adm. Code 572.100) and an IWRP amendment written (89 Ill. Adm. Code 572.80.);
- 4) the client possesses acceptable skills to perform or continue the work satisfactorily as evidenced by the client's continued employment;
- 5) the employment is regular, reasonably permanent, (based upon the goal established in the client's IWRP (89 Ill. Adm. Code 572.60)), and the client receives a wage commensurate with that paid others for similar work as determined by wage information obtained by the counselor, e.g. Job Service, Federal U.S. Department of Labor, under legal requirements as contained in 29 CFR 524525 and Illinois Minimum Wage Law (56 Ill. Adm. Code 200) respectively; and

DEPARTMENT OF REHABILITATION SERVICES
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- 6) the employment and working conditions will not aggravate the client's disability and the client's disability in the job situation will not jeopardize the health or safety of him/herself or others based upon client information obtained during the diagnostic study (89 Ill. Adm. Code 552.50 through 70) and the counselor's knowledge of the job description and requirements.

(Source: Amended at 15 Ill. Reg. _____, effective _____,
Section 617.70 Closure in a Work Activity Program (Repealed)

To be considered a rehabilitation closure in a work activity program (a supervised program of activities for clients not having the vocational potential for competitive or sheltered employment), in addition to the criteria contained in 617.30, the following requirements must be met:

- a) the client must have received a comprehensive diagnostic workshop evaluation or participated in an extended evaluation program (89 Ill. Adm. Code 552.80) and/or a work adjustment training program with a vocational objective of sheltered or competitive employment.
- b) During the course of the evaluation and/or work adjustment training, the client has reached a plateau or production has stabilized to such a degree that the DORS counselor determines that the client does not demonstrate the potential to meet the minimum qualifications for competitive employment or sheltered employment.
- c) The client must be involved in work-oriented activities for at least 50% or more of their program hours per week, for a minimum of 60 calendar days. If, at the conclusion of the minimum 60 calendar day observation period, there has been no significant change in the client's performance and there is still concurrence that the client is suitably placed, the case may be closed as successfully rehabilitated.
- d) If the client, during the 60 calendar day period in the work activities program, demonstrates the ability to be placed in sheltered employment (Section 617.60)

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENTS

as indicated by progress reports from the rehabilitation facility, the case should not be closed. Further consideration shall be given to additional VR services necessary for the client to be placed in sheltered employment. Closures shall only be made from Commission on Accreditation of Rehabilitation Facilities (CARF), National Accreditation Council (NAC), or DORS approved work activity programs.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits

2) Code Citation: 92 Ill. Adm. Code 1040

3) Section Numbers: 1040.42
Proposed Action
Amendment

4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 2-104(b)) and Section 6-100 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 6-100 et seq.)

5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking sets forth the criteria for suspending or revoking a person's driving privileges if he/she flees or attempts to elude a police officer.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.

9) Are there any other amendments pending on this part?

Section Number	Proposed Action	Illinois Register Citation
1040.65	Amendment	14 Ill. Reg. 14336 (September 7, 1990)

10) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

James Economy
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the proposed rule begins on the next page.

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1040
CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

- Section
1040.10 Court to Forward Licenses and Reports of Convictions
1040.20 Illinois Traffic Offense Table
1040.25 Suspension or Revocation for Driving Without a Valid Driver's License
1040.30 3 or More Traffic Offenses Committed Within 12 Months
1040.31 Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32 Suspension or Revocation of Licenses or Permits Used Fraudulently
1040.35 Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38 Commission of a Traffic Offense in Another State
1040.40 Repeated Convictions or Collisions
1040.41 Suspension of Licenses for Curfew Violations
1040.42 Fleeing and Eluding
1040.43 Illegal Transportation
1040.46 Fatal Accident & Personal Injury Suspensions or Revocations
1040.48 Vehicle Emission Suspensions
1040.50 Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55 Suspension or Revocation for Driver's License Classification Violations
1040.60 Release of Information Regarding a Disposition of Court Supervision
1040.65 Offenses Occurring on Military Bases
1040.66 Invalidation of a Restricted Driving Permit
1040.70 National Driver Register
1040.80 Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100 Rescissions
1040.101 Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674;

amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 27, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective March 22, 1990; amended at 14 Ill. Reg. 14177, effective August 21, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. _____, effective _____.

NOTE: Boldface type denotes statutory language.

Section 1040.42 Fleeing and Eluding

a) For purposes of this Section, the following definitions shall apply:

"Auto Emissions Suspension" - suspension for failing to have vehicle tested pursuant to the Vehicle Emissions Inspection Law of the Illinois Vehicle Code (Ill. Rev. Stat. 19879, ch. 95 1/2, pars. 13A-101 et seq.).

"Conviction" - a final adjudication of guilty by a court of competent jurisdiction either after a bench trial, trial by jury, plea of guilty, order of forfeiture, or default as defined in Section 6-100(b) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 19879, ch. 95 1/2, par. 6-100(b)).

"Curfew Violation Suspension" - suspension when a minor operates a vehicle on a highway during the prescribed hours without an adult or as otherwise provided for in Section 1 of "An Act relating to a curfew for certain children", (Ill. Rev. Stat. 19879, ch. 23, par. 2371) in accordance with Section 6-206(a)(13) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 19879, ch. 95 1/2, par. 6-206(a)(13)).

"Department" - Department of Driver Services within the Office of the Secretary of State.

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"Failure to Appear Suspension" - suspension for failing to pay fines or appear in court following the issuance of a traffic ticket as defined in Section 6-306.3 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, par. 6-306.3).

"Financial Responsibility Suspension" - suspension in accordance with Section 7-304 and Section 7-305 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, pars. 7-304 and 7-305).

"Like Period of Time" - equal amount of time as the original suspension specified.

"Miscellaneous Suspensions" - suspensions for safety responsibility, financial responsibility, warrant parking/traffic ticket, auto emissions, failure to appear, curfew or unsatisfied judgment.

"Parking/Traffic Suspension" - suspension for failure to pay fines for traffic or parking violations as described in Section 6-306.1 and/or Section 6-306.5 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, par. 6-306.1 and/or 6-306.5).

"Revocation" - the termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after the latest projected eligibility date has passed as defined in Section 1-176 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, par. 1-176).

"Safety Responsibility Suspension" - suspension in accordance with Section 7-205 and/or Section 7-208 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, pars. 7-205 and 7-208).

"Suspension" - temporary withdrawal by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary as defined in Section 1-204 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, par. 1-204).

"Suspension or Revocation in Effect" - suspension or revocation which has not terminated.

"Terminated Revocation" - revocation which is no longer in effect.

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"Terminated Suspension" - suspension which is no longer in effect.

"Unsatisfied Judgment Suspension" - suspension in accordance with Article III of the Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, pars. 7-301 et seq.).

b) A person who has been convicted of ~~attempting to flee~~ ~~or attempting to elude~~ a police officer in a motor vehicle shall have his/her driving privileges suspended by this Department. The length of the suspension shall not be for a period of more than six (6) months as prescribed by Section 11-204(b) of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987⁹, ch. 95 1/2, par. 11-204(b)).

c) If the driving record contains no suspensions or revocations, the Department shall take the following action:

1st conviction - 3 month suspension
2nd or more conviction - 6 month suspension

d) If the driving record contains one or more suspension(s) and/or cleared revocation(s) excluding miscellaneous suspensions ~~and/or~~ ~~clear revocations~~, the Department shall take the following action:

1 or more convictions - 6 month suspension

e) If the driving record contains one (1) or more open revocation(s) one of which may be concurrent with one (1) or more open or pending suspension(s) excluding miscellaneous suspensions and the arrest date of the incoming conviction falls during the revocation, then the Department shall extend the projected eligibility date of the revocation one year from the conviction date or to the latest projected eligibility date on record. If the arrest date of the incoming conviction falls outside the period of revocation but within the period of an open suspension, then the Department shall extend the suspension for an additional like period of time.

f) Only prior suspensions or revocations terminating within seven (7) years of the forthcoming suspension's effective date shall be considered.

g) When considering prior convictions, only convictions for ~~attempting to flee~~ ~~or attempting to elude~~ a police officer with conviction dates within seven (7) years of the forthcoming suspension's effective date shall be used.

(Source: Amended at 15 Ill. Reg. _____, effective _____).

- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 2025
- 3) Section Number: 2025.120
Adopted Action: New Section
- 4) Statutory Authority: Section 4.01 of the Administrative Procedure Act (Ill. Stat. 1989, ch. 127, par. 1004.01) and Section 16 of the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, par. 138.16)
- 5) Effective Date of Amendment: May 10, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this adopted amendment contain incorporations by reference? No
- 8) Date filed in agency's principal office: May 10, 1991
- 9) Notice of proposal published in Illinois Register: N/A
These rules are adopted pursuant to Ill. Rev. Stat. 1989, ch. 127, par. 1004.01.
- 10) Has JCAR issued a Statement of Objection to these rules: No
- 11) Differences between the proposal and final version: N/A
- 12) Have all the changes agreed upon by the Agency & JCAR been made as indicated in the agreement letter issued by JCAR: N/A
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) All there any amendments pending on this Part? No
- 15) Summary and Purpose of the Rule: The rule sets forth procedures for submission, consideration and disposition of Petitions for Rulemaking submitted under Section 8 of the Administrative Procedure Act.
- 16) Information and questions regarding the adopted amendment shall be directed to:

Kathryn A. Kelley
Counsel
Illinois Industrial Commission
100 W. Randolph
Suite 8-272
Chicago, Illinois 60601
(312)-814-6559

The full text of the adopted amendment begins on the next page:

ILLINOIS INDUSTRIAL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
 SUBTITLE E: MISCELLANEOUS STATE AGENCIES
 CHAPTER XXII: INDUSTRIAL COMMISSION

PART 2025

PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
 2025.10 Information

SUBPART B: RULEMAKING

Section
 2025.110 Rules
2025.120 Petition for Rulemaking

SUBPART C: ORGANIZATION

Section
 2025.210 Organization

APPENDIX A Organization Chart

AUTHORITY: Implementing Section 4.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, par. 1004.01) and authorized by Section 16 of the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, par.138.16).

SOURCE: Adopted at 7 Ill. Reg. 7637, effective June 15, 1983; codified at 8 Ill. Reg. 17891; amended at 15 Ill. Reg. 7897 effective May 10, 1991.

Section 2025.120 Petition for Rulemaking

- a) Pursuant to the requirements of Section 8 of the Illinois Administrative Procedure Act, any interested person may petition the Commission requesting the promulgation, amendment or repeal of a rule.
- b) The petition shall be handwritten or typewritten and shall include the following:

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- 1) name, title (if any), organization (if any), address and telephone number of the Petitioner;
 - 2) nature of the rulemaking action sought;
 - 3) proposed text of the rule sought to be promulgated, amended or repealed; and
 - 4) the arguments and reasons in support of the proposal.
- c) Petitions are to be sent to the Chairman at the Commission's Chicago office.
- d) The Petition for Rulemaking shall be considered by the Commission at a public meeting. The Commission shall notify the Petitioner of the time and place of the public meeting. The Commission may hear arguments regarding the proposed rulemaking if it desires clarification of the issues raised therein. The Commission may adopt or reject the Petition. If the Commission has not initiated rulemaking within 30 days of submission of the petition in accordance with Section 5 of the Administrative Procedure Act, the petition shall be deemed to have been denied.

(Source: Added at 15 Ill. Reg. 7897 effective May 10, 1991.)

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- 1) The Heading of the Part: Definitions and General Provisions
- 2) The Code Citation: 35 Ill. Adm. Code 211
- 3) Section Number: Adopted Action:
211.122 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111½, pars. 1010 and 1027.
- 5) Effective Date of Rule(s) (Amendments, Repealer): May 14, 1991
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Does this rule (amendment, repealer) contain incorporations by reference? Yes
- 8) Date Filed in Agency's Principal Office: April 25, 1991
- 9) Notice(s) of Proposal Published in Illinois Register: 14 Ill. Reg. 8463, June 1, 1990
- 10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? No
- 11) Difference(s) between proposal and final version:
The definition of "Organic Compound" has been added.
The definition of "Volatile Organic Material" or "Volatile Organic Material Content (VOMC)" which at first notice read:

"Volatile Organic Material":

Any organic material which participates in atmospheric photochemical reactions unless specifically exempted from this definition. Volatile organic material emissions shall be measure by the reference methods specified under 40 CFR 60, Appendix A (1986) (no future amendments method is applicable, may be determined by mass balance calculations.

For purposes of this definition, the following are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)
Chlorodifluoromethane (CFC-22)

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Chloropentafluoroethane (CFC-115)
Dichlorodifluoromethane (CFC-12)
Dichlorofluoroethane (HCFC-141b)
Dichlorotetrafluoroethane (CFC-114)
Dichlorotrifluoroethane (HCFC-123)
Ethane
Methane
Dichloromethane (Methylene chloride)
Tetrafluoroethane (HFC-134a)
Trichloroethane (Methyl chloroform)
Trichlorofluoromethane (CFC-11)
Trichlorotrifluoromethane (CFC-113)
Trifluoromethane (FC-23)

now reads:

"Volatile Organic Material":

Any organic compound which participates in atmospheric photochemical reactions unless specifically exempted from this definition. For purposes of determining compliance with emission limits volatile organic material shall be measured by the reference methods incorporated by reference in 35 Ill. Adm. Code 215.105. Where such a method also inadvertently measures compounds with negligible photochemical reactivity, an owner or operator may exclude these negligibly reactive compounds.

For purposes of this definition, the following organic compounds have been determined to have negligible photochemical reactivity and are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)
Chlorodifluoromethane (CFC-22)
Chloropentafluoroethane (CFC-115)
Dichlorodifluoromethane (CFC-12)
Dichlorofluoroethane (HCFC-141b)
Dichlorotetrafluoroethane (CFC-114)
Dichlorotrifluoroethane (HCFC-123)
Ethane
Methane
Dichloromethane (Methylene chloride)
Tetrafluoroethane (HFC-134a)
Trichloroethane (Methyl chloroform)
Trichlorofluoromethane (CFC-11)
Trichlorotrifluoromethane (CFC-113)

Trifluoromethane (FC-23)
The definition of "Volatile Organic Material Content" or VOMC" has been added.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this part? Yes

Section Numbers: Proposed Action: Ill. Reg. Citation:

211.122 Amendment 15 Ill. Reg. 04688

15) Summary and Purpose of Rule(s):

Abbott first filed this proposed rulemaking in May of 1988 as a result of what the company perceived to be deficiencies in R86-10, the RACT Pharmaceutical Manufacturing Regulations adopted by the Board on April 7, 1988. During the promulgation of R86-10 and up until the present, both the Board and the USEPA have undertaken rulemakings regarding RACT regulations. In R89-16, the Board adopted regulations as part of the State Implementation Plan (SIP). The USEPA has also promulgated RACT regulations under its duty to develop a Federal Implementation Plan (FIP). Due to the fact that many of these regulations overlapped and Abbott felt that some were impossible to "live with", the company sought site-specific relief in May of 1988.

After five hearings and four amended proposals, Abbott, the Agency and the USEPA transformed the regulation into one of general applicability which would constitute a SIP revision. Both Abbott and the Agency, however, indicated that USEPA approval will not be forthcoming until the Board corrects the definition of Volatile Organic Material (VOM) as it appears in R89-16. The participants filed a joint proposal to this effect on November 13, 1990 and the Board made the appropriate revisions in the VOM definition in the Second Notice package.

USEPA's proposed pharmaceutical RACT rules were the subject of considerable testimony and comment throughout this proceeding. As previously noted, USEPA has adopted the FIP, which included Pharmaceutical Manufacturing RACT regulations. Subsequent to the June hearings, USEPA published its final FIP rules at 55 Fed. Reg. 26814 (June 29, 1990). A copy of the

FIP regulatory preamble and rules was supplied to the Board as a joint public comment and is included as Attachment A to the Agency's final comments. In all apparent aspects the relevant language with respect to the pharmaceutical regulations in the pre-publication copy found at Exhibit 37 is the same as in this final FIP. As Mr. Romaine of the Agency testified, the FIP pharmaceutical rules are substantially identical to the Fourth Amended Proposal.

This proceeding has evolved from one of a site-specific regulatory proposal to a general rulemaking that also corrects the stated deficiencies put forward by USEPA in their December 29, 1989 Notice of Proposed Rulemaking, certain other suggested modifications regarding enforceability raised by USEPA, and the changes to the definitions described in Mr. Steve Rothblatt's (USEPA) letter of October 5, 1990. The Fourth Amended Proposal, coupled with the latest definitional changes, has been determined to be acceptable by USEPA. It in large part formed the template for the FIP Pharmaceutical Regulations adopted by USEPA on June 29, 1990. This joint proposal is fully supported by the record presented to the Board. It represents compromises by Abbott in terms of limitation on the relief that it originally sought in this proceeding and constitutes a regulation which the record shows is RACT for the two known affected plants in Illinois. It addresses the enforceability and recordkeeping requirements which are necessary to ensure that the Agency has the flexibility to enforce the regulations.

16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer
100 W. Randolph Street
State of Illinois Center
Suite 11-500
Chicago, IL 60601
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

ILLINOIS POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE B: AIR POLLUTION

CHAPTER I.: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 211

DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section

211.101 Incorporations by Reference
211.102 Abbreviations and Units

SUBPART B: DEFINITIONS

Section

211.121 Other Definitions
211.122 Definitions

Appendix A Rule into Section Table

Appendix B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1009, 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991.

SUBPART B: DEFINITIONS

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Section 211.122 Definitions

"Accelacota": a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying and the coating is dried by the flow of air across the drum through the perforations.

"Accumulator": The reservoir of a condensing unit receiving the condensate from a surface condenser.

"Acid Gases": For the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1989, ch. 111½, par. 1009.4), hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.

"Actual Heat Input": The quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.

"Aeration": The practice of forcing air through bulk stored grain to maintain the condition of the grain.

"Afterburner": A device in which materials in gaseous effluents are combusted.

"Air Dried Coating": Coatings that dry by the use of air or forced air at temperatures up to 363.15° K (194° F).

"Air suspension coater/dryer": a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.

"Annual Grain Through-Put": Unless otherwise shown by the owner or operator, annual grain through-put for grain handling operations, which have been in operation for three consecutive years prior to June 30, 1975, shall be determined by adding grain receipts and shipments for the three previous fiscal years and dividing the total by 6. The annual grain through-put for grain-handling operations in operation for less than three consecutive years prior to June 30, 1975, shall be determined by a reasonable three-year estimate; the owner or operator shall document

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the reasonableness of his three-year estimate.

"Architectural Coating": Any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings which is site applied.

"Asphalt": The dark-brown to black cementitious material (solid, semisolid or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.

"Asphalt Prime Coat": A low-viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.

"Automobile": Any first division motor vehicle as that term is defined in the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95½, pars 1-100 et seq.).

"Automobile or Light-Duty Truck Manufacturing Plant": A facility where parts are manufactured or finished for eventual inclusion into a finished automobile or light-duty truck ready for sale to vehicle dealers, but not including customizers, body shops and other repainters.

"Batch Loading": The process of loading a number of individual parts at the same time for degreasing.

"Bead-Dipping": The dipping of an assembled tire bead into a solvent-based cement.

"British Thermal Unit": The quantity of heat required to raise one pound of water from 60° F to 61° F (abbreviated btu).

"Bulk Gasoline Plant": Any gasoline storage and distribution facility that receives gasoline from bulk gasoline terminals by delivery vessels and distributes gasoline to gasoline dispensing facilities.

"Bulk Gasoline Terminal": Any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing facilities.

"Can Coating": The application of a coating material to a single walled container that is manufactured from metal sheets thinner than 29 gauge (0.0141 in).

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"Certified Investigation": A report signed by Illinois Environmental Protection Agency (Agency) personnel certifying whether a grain-handling operation (or portion thereof) or grain-drying operation is causing or tending to cause air pollution. Such report must describe the signatory's investigation, including a summary of those facts on which he relies to certify whether the grain-handling or grain-drying operation is causing or threatening or allowing the discharge or emission of any contaminant into the environment so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board (Board) under the Environmental Protection Act (Act). The certified investigation shall be open to a reasonable public inspection and may be copied upon payment of the actual cost of reproducing the original.

"Choke Loading": That method of transferring grain from the grain-handling operation to any vehicle for shipment or delivery which precludes a free fall velocity of grain from a discharge spout into the receiving container.

"Cleaning and Separating Operation": That operation where foreign and undesired substances are removed from the grain.

"Clear Coating": Coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

"Closed Purge System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

"Closed Vent System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device, or return the gas or vapor to the process line.

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"Coal Refuse": Waste products of coal mining, cleaning and coal preparation operations containing coal, matrix material, clay and other organic and inorganic material.

"Coating Applicator": Equipment used to apply a surface coating.

"Coating Line": An operation where a surface coating is applied to a material and subsequently the coating is dried and/or cured.

"Coating Plant": Any building, structure or installation that contains a coating line and which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person (or by persons under common control).

"Coil Coating": The application of a coating material to any flat metal sheet or strip that comes in rolls or coils.

"Cold Cleaning": The process of cleaning and removing soils from surfaces by spraying, brushing, flushing or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

"Complete Combustion": A process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

"Component": Any piece of equipment which has the potential to leak volatile organic material including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains and open ended valves. This definition excludes valves which are not externally regulated, flanges, and equipment in heavy liquid service. For purposes of 35 Ill. Adm. Code 215. Subpart Q, this definition also excludes bleed ports of gear pumps in polymer service.

"Concentrated Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration equal to or greater than 70 percent by weight.

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"Condensate": Hydrocarbon liquid separated from its associated gasses which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

"Control Device": Equipment, such as an afterburner, adsorber, scrubber, condenser, cyclone or baghouse used to remove or prevent the emission of air pollutants from a contaminated exhaust stream. For purposes of 35 Ill. Adm. Code 215. Subpart Q, an enclosed combustion device, vapor recovery system, flare, or closed container.

"ConveyORIZED Degreasing": The continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

"Crude Oil": A naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

"Crude Oil Gathering": The transportation of crude oil or condensate after custody transfer between a production facility and a reception point.

"Custody Transfer": The transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

"Cutback Asphalt": Any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

"Degreaser": Any equipment or system used in solvent cleaning.

"Delivery Vessel": Any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing facility, bulk gasoline plant or bulk gasoline terminal.

"Distillate Fuel Oil": Fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil A.S.T.M. D-369-69 (1971).

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"Dry Cleaning Facility": A facility engaged in the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

"Dump-Pit Area": Any area where grain is received at a grain-handling or grain-drying operation.

"Effective Grate Area": That area of a dump-pit grate through which air passes, or would pass, when aspirated.

"Effluent Water Separator": Any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

"Emission Rate": Total quantity of any air contaminant discharge into the atmosphere in any one-hour period.

"Enclose": with respect to Subpart T, to cover any volatile organic liquid surface that is exposed to the atmosphere.

"End Sealing Compound Coat": A compound applied to can ends which functions as a gasket when the end is assembled on the can.

"Excess Air": Air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

"Excessive Release": A discharge of more than 295g (0.65 pounds) of mercaptans and/or hydrogen sulfide into the atmosphere in any five minute period.

"Existing Grain-Drying Operation": Any grain-drying operation the construction or modification of which was commenced prior to June 30, 1975.

"Existing Grain-Handling Operation": Any grain-handling operation the construction or modification of which was commenced prior to June 30, 1975.

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"Exterior Base Coat": An initial coating applied to the exterior of a can after the can body has been formed.

"Exterior End Coat": A coating applied by rollers or spraying to the exterior end of a can.

"External Floating Roof": A storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which is supported by the petroleum liquid being contained and is equipped with a closure seal between the deck edge and tank wall.

"Extreme Performance Coating": Coatings designed for exposure to any of the following: the ambient weather conditions, temperatures above 368.15° K (203° F), detergents, abrasive and scouring agents, solvents, corrosive atmospheres, or other similar extreme environmental conditions.

"Fabric Coating": The coating of a textile substrate.

"Final Repair Coat": The repainting of any coating which is damaged during vehicle assembly.

"Firebox": The chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

"Flexographic Printing": The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of elastomeric materials.

"Floating Roof": A roof on a stationary tank, reservoir or other container which moves vertically upon change in volume of the stored material.

"Freeboard Height": For open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank. For cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

"Fuel Combustion Emission Source": Any furnace, boiler or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

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"Fuel Gas System": A system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls and distribution piping.

"Fugitive Particulate Matter": Any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in 35 Ill. Adm. Code 212.Subpart K shall exempt any source from compliance with other provisions of 35 Ill. Adm. Code 212 otherwise applicable merely because of the absence of a stack.

"Gas Service": Means that the component contains process fluid that is in the gaseous state at operating conditions.

"Gasoline": Any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

"Gasoline Dispensing Facility": Any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

"Grain": The whole kernel or seed of corn, wheat, oats, soybeans and any other cereal or oil seed plant; and the normal fines, dust and foreign matter which results from harvesting, handling or conditioning. The grain shall be unaltered by grinding or processing.

"Grain-Drying Operation": Any operation, excluding aeration, by which moisture is removed from grain and which typically uses forced ventilation with the addition of heat.

"Grain-Handling and Conditioning Operation": A grain storage facility and its associate grain transfer, cleaning, drying, grinding and mixing operations.

"Grain-Handling Operation": Any operation where one or more of the following grain-related processes (other than grain-drying operation, portable grain-handling equipment, one-turn storage space, and excluding flour mills and feed mills) are performed: receiving, shipping, transferring, storing, mixing or treating of grain or other processes pursuant to normal grain operations.

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"Green Tire Spraying": The spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

"Green Tires": Assembled tires before molding and curing have occurred.

"Gross Heating Value": Amount of heat produced when a unit quantity of fuel is burned to carbon dioxide and water vapor, and the water vapor condensed as described in A.S.T.M. D-2015-66, D-900-55, D-1826-64 and D-240-64.

"Heavy Liquid": Liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3° K (70° F) or 0.1 Reid Vapor Pressure as determined by A.S.T.M. method D-323; or which when distilled requires a temperature of 300° F or greater to recover 10% of the liquid as determined by A.S.T.M. method D-86.

"Heavy Metals": For the purposes of Section 9.4 of the Act, elemental, ionic, or combined forms of arsenic, cadmium, mercury, chromium, nickel and lead.

"Heavy, Off-Highway Vehicle Products": For the purposes of Section 215.204(k), heavy off-highway vehicle products shall include: heavy construction, mining, farming or material handling equipment; heavy industrial engines; diesel-electric locomotives and associated power generation equipment; and the components of such equipment or engines.

"Hot Well": The reservoir of a condensing unit receiving the condensate from a barometric condenser.

"Housekeeping Practices": Those activities specifically defined in the list of housekeeping practices developed by the Joint EPA - Industry Task Force and included herein under 35 Ill. Adm. Code 212.461.

"Incinerator": Combustion apparatus in which refuse is burned.

"Indirect Heat Transfer": Transfer of heat in such a way that the source of heat does not come into direct contact with process materials.

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"In-Process Tank": A container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating, or cleaning operations in the manufacture of pharmaceuticals.

"In-situ Sampling Systems": Nonextractive samplers or in-line samplers.

"Interior Body Spray Coat": A coating applied by spray to the interior of a can after the can body has been formed.

"Internal Transferring Area": Areas and associated equipment used for conveying grain among the various grain operations.

"Large Appliance Coating": The application of a coating material to the component metal parts (including but not limited to doors, cases, lids, panels and interior support parts) of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.

"Light-Duty Truck": Any second division motor vehicle, as that term is defined in the Illinois Vehicle Code, (Ill. Rev. Stat. 1989, ch. 95½, pars. 1-100 et seq.) weighing less than 3854 kilograms (8500 pounds) gross.

"Liquid-Mounted Seal": A primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.

"Liquid Service": Means that the equipment or component contains process fluid that is in a liquid state at operating conditions.

"Liquids Dripping": Any visible leaking from a seal including spraying, misting, clouding and ice formation.

"Load-Out Area": Any area where grain is transferred from the grain-handling operation to any vehicle for shipment or delivery.

"Low Solvent Coating": A coating which contains less organic solvent than the conventional coatings used by the

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industry. Low solvent coatings include water-borne, higher solids, electro-deposition and powder coatings.

"Magnet Wire Coating": The application of a coating of electrically insulating varnish or enamel to conducting wire to be used in electrical machinery.

"Major Dump Pit": Any dump pit with an annual grain through-put of more than 300,000 bushels, or which receives more than 40% of the annual grain through-put of the grain-handling operation.

"Major Metropolitan Area (MMA)": Any county or group of counties which is defined by the following Table:

MAJOR METROPOLITAN AREAS IN ILLINOIS (MMA's)

MMA	COUNTIES INCLUDED IN MMA
Champaign-Urbana	Champaign
Chicago	Cook, Lake, Will, DuPage, McHenry, Kane, Grundy, Kendall, Kankakee
Decatur	Macon
Peoria	Peoria, Tazewell
Rockford	Winnebago
Rock Island -- Moline	Rock Island
Springfield	Sangamon
St. Louis (Illinois)	St. Clair, Madison
Bloomington -- Normal	McLean

"Major Population Area (MPA)": Areas of major population concentration in Illinois, as described below:

The area within the counties of Cook; Lake; DuPage; Will; the townships of Burton, Richmond, McHenry, Greenwood, Nunda, Door, Algonquin, Grafton and the municipality of Woodstock, plus a zone extending two miles beyond the boundary of said municipality located in McHenry County; the townships of Dundee, Rutland, Elgin, Plato, St. Charles, Campton, Geneva, Blackberry, Batavia, Sugar Creek and Aurora located in Kane County; and the municipalities of Kankakee, Bradley and Bourbonnais, plus a zone extending two miles beyond the boundaries of said municipalities in Kankakee County.

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The area within the municipalities of Rockford and Loves Park, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Rock Island, Moline, East Moline, Carbon Cliff, Milan, Oak Grove, Silvis, Hampton, Greenwood and Coal Valley, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Galesburg and East Galesburg, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bartonville, Peoria and Peoria Heights, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Pekin, North Pekin, Marquette Heights, Creve Coeur and East Peoria, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bloomington and Normal, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Champaign, Urbana and Savoy, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Decatur, Mt. Zion, Harrisburg and Forsyth, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Springfield, Leland Grove, Jerome, Southern View, Grandview, Sherman and Chatham, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the townships of Godfrey, Foster, Wood River, Fort Russell, Chouteau, Edwardsville, Venice, Nameoki, Alton, Granite City and Collinsville located in Madison County; and the townships of Stites, Canteen, Centreville, Caseyville, St. Clair, Sugar Loaf and Stookey located in St. Clair County.

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"Manufacturing Process": A process emission source or series of process emission sources used to convert raw materials, feed stocks, subassemblies or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

"Metal Furniture Coating": The application of a coating material to any furniture piece made of metal or any metal part which is or will be assembled with other metal, wood, fabric, plastic or glass parts to form a furniture piece including, but not limited to, tables, chairs, wastebaskets, beds, desks, lockers, benches, shelving, file cabinets, lamps and room dividers. This definition shall not apply to any coating line coating metal parts or products that is identified under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38, 39, 40 or 41.

"Miscellaneous Fabricated Product Manufacturing Process":

A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting volatile organic material:

Adhesives to fabricate or assemble non-furniture components or products

Asphalt solutions to paper or fiberboard

Asphalt to paper or felt

Coatings or dye to leather

Coatings to plastic

Coatings to rubber or glass

Curing of furniture adhesives in an oven which would emit in excess of 10 tons of volatile organic material per year if no air pollution control equipment were used

Disinfectant material to manufactured items

Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pellets

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Resin solutions to fiber substances

Rubber solutions to molds

Viscose solutions for food casings

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Formulation Manufacturing Process":

A manufacturing process which compounds one or more of the following and is capable of emitting volatile organic material:

Adhesives

Asphalt solutions

Caulks, sealants or waterproofing agents

Coatings, other than paint and ink

Concrete curing compounds

Dyes

Friction materials and compounds

Resin solutions

Rubber solutions

Viscose solutions

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

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"Miscellaneous Metal Parts and Products": For the purpose of 35 Ill. Adm. Code 215.204, miscellaneous metal parts and products shall include farm machinery, garden machinery, small appliances, commercial machinery, industrial machinery, fabricated metal products and any other industrial category which coats metal parts or products under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38 or 39 with the exception of the following: coating lines subject to 35 Ill. Adm. Code 215.204(a)-(i) and (k), automobile or light-duty truck refinishing, the exterior of marine vessels and the customized top coating of automobiles and trucks if production is less than thirty-five vehicles per day.

"Miscellaneous Organic Chemical Manufacturing Process":

A manufacturing process which produces by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting volatile organic materials:

Chemicals listed in 35 Ill. Adm. Code 215. Appendix D.

Chlorinated and sulfonated compounds

Cosmetic, detergent, soap or surfactant intermediaries or specialties and products

Disinfectants

Food additives

Oil and petroleum product additives

Plasticizers

Resins or polymers

Rubber additives

Sweeteners

Varnishes

The storage and handling of formulations associated with the process described above.

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The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Mixing Operation": The operation of combining two or more ingredients, of which at least one is a grain.

"New Grain-Drying Operation": Any grain-drying operation the construction or modification of which is commenced on or after June 30, 1975.

"New Grain-Handling Operation": Any grain-handling operation the construction or modification of which is commenced on or after June 30, 1975.

"No Detectable Volatile Organic Material Emissions": A discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR 60.485(c).

"One Hundred Percent Acid": Acid with a specific gravity of 1.8205 at 30° C in the case of sulfuric acid and 1.4952 at 30° C in the case of nitric acid.

"One-Turn Storage Space": That space used to store grain with a total annual through-put not in excess of the total bushel storage of that space.

"Opacity": A condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purposes of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity Percent	Ringelmann
10	0.5
20	1.
30	1.5
40	2.
60	3.
80	4.
100	5.

"Open Top Vapor Degreasing": The batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.

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"Operator of Gasoline Dispensing Facility": Any person who is the lessee of or operates, controls or supervises a gasoline dispensing facility.

"Organic Compound": Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metal carbides or carbonates, and ammonium carbonate.

"Organic Material": Any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate.

"Organic Materials": For the purposes of Section 9.4 of the Act, any chemical compound of, carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, and polychlorinated dibenzop-dioxins, polychlorinated dibenzofurans and polynuclear aromatic hydrocarbons are organic materials, while methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate are organic materials.

"Organic Vapor": Gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.

"Overvarnish": A coating applied directly over ink or printing.

"Owner of Gasoline Dispensing Facility": Any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing facility.

"Packaging Rotogravure Printing": Rotogravure printing upon paper, paper board, metal foil, plastic film and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.

"Paint Manufacturing Plant": A plant that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes or pigmented surface coatings.

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"Paper Coating": The application of a coating material to paper or pressure sensitive tapes, regardless of substrate, including web coating on plastic fibers and decorative coatings on metal foil.

"Particulate Matter": Any solid or liquid material, other than water, which exists in finely divided form.

"Petroleum Liquid": Crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in A.S.T.M. D-396-69, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in A.S.T.M. D-2880-71 or diesel fuel oils Numbers 2-D and 4-D, as specified in A.S.T.M. D-975-68.

"Petroleum Refinery": Any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation, cracking, extraction or reforming of unfinished petroleum derivatives.

"Pharmaceutical": Any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment or cure of disease in man and animal.

"Pharmaceutical Coating Operation": a device in which a coating is applied to a pharmaceutical, including any drying or curing of the coating.

"Photochemically Reactive Material": Any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials it shall be considered as a member of the most reactive group, that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cycloolefinic types of unsaturation: 5 percent. This definition does not apply to perchlorethylene or trichloroethylene.

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A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethyl-benzene: 8 percent.

A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.

"Plant": all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification Manual", 1987.

"Pneumatic Rubber Tire Manufacture": The production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross section dimension up to 12.8 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.

"Polybasic Organic Acid Partial Oxidation Manufacturing Process": Any process involving partial oxidation of hydrocarbons with air to manufacture polybasic acids or their anhydrides, such as maleic anhydride, phthalic anhydride, terephthalic acid, isophthalic acid, trimellitic anhydride.

"Portable Grain-Handling Equipment": Any equipment (excluding portable grain dryers) that is designed and maintained to be movable primarily for use in a non-continuous operation for loading and unloading one-turn storage space, and is not physically connected to the grain elevator, provided that the manufacturer's rated capacity of the equipment does not exceed 10,000 bushels per hour.

"Portland Cement Process": Any facility manufacturing portland cement by either the wet or dry process.

"Power Driven Fastener Coating": The coating of nail, staple, brad and finish nail fasteners where such fasteners are fabricated from wire or rod of 0.0254 inch diameter or greater, where such fasteners are bonded into

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coils or strips, such coils and strips containing a number of such fasteners, which fasteners are manufactured for use in power tools, and which fasteners must conform with formal standards for specific uses established by various federal and national organizations including Federal Specification FF-N-105b of the General Services Administration dated August 23, 1977 (does not include any later amendments or editions; U.S. Army Armament Research and Development Command, Attn: DRDAR-TST, Rock Island, IL 61201), Bulletin UM-25d of the U.S. Department of Housing and Urban Development - Federal Housing Administration dated September 5, 1973 (does not include any later amendments or editions; Department of HUD, 547 W. Jackson Blvd., Room 1005, Chicago, IL 60606), and the Model Building Code of the Council of American Building Officials, and similar standards. For the purposes of this definition, the terms "brad" and "finish nail" refer to single leg fasteners fabricated in the same manner as staples. The application of coatings to staple, brad, and finish nail fasteners may be associated with the incremental forming of such fasteners in a cyclic or repetitious manner (incremental fabrication) or with the forming of strips of such fasteners as a unit from a band of wires (unit fabrication).

"PPM (Vol) - (Parts per Million) (Volume)": A volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volumes of gas.

"Pressure Release": The emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

"Pressure Tank": A tank in which fluids are stored at a pressure greater than atmospheric pressure.

"Prime Coat": The first film of coating material applied in a multiple coat operation.

"Prime Surfacer Coat": A film of coating material that touches up areas on the surface not adequately covered by the prime coat before application of the top coat.

"Process": Any stationary emission source other than a fuel combustion emission source or an incinerator.

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"Process Unit": Components assembled to produce, as intermediate or final products, one or more of the chemicals listed in 35 Ill. Adm. Code 215. Appendix D. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

"Process Unit Shutdown": A work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare components and technically feasible bypassing of components without stopping production is not a process unit shutdown.

"Process Weight Rate": The actual weight or engineering approximation thereof of all materials except liquid and gaseous fuels and combustion air, introduced into any process per hour. For a cyclical or batch operation, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours of operation excluding any time during which the equipment is idle. For continuous processes, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours in one complete operation, excluding any time during which the equipment is idle.

"Production Equipment Exhaust System": A system for collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges and other process emission sources.

"Publication Rotogravure Printing": Rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of non-packaging printed materials.

"Purged Process Fluid": Liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

"Reactor": A vat, vessel or other device in which chemical reactions take place.

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"Reasonably Available Control Technology (RACT)": The lowest emission limitation that an emission source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

"Refinery Fuel Gas": Any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any gaseous mixture of natural gas and fuel gas.

"Refinery Unit, Process Unit or Unit": A set of components which are a part of a basic process operation such as distillation, hydrotreating, cracking or reforming of hydrocarbons.

"Refrigerated Condenser": a surface condenser in which the coolant supplied to the condenser has been cooled by a mechanical device, other than by a cooling tower or evaporative spray cooling, such as a refrigeration unit or steam chiller unit.

"Residual Fuel Oil": Fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils A.S.T.M. D-396-69 (1971).

"Restricted Area": The area within the boundaries of any "municipality" as defined in the Illinois Municipal Code, plus a zone extending one mile beyond the boundaries of any such municipality having a population of 1000 or more according to the latest federal census. (ch. 24 par 1-1 et seq.)

"Ringelmann Chart": The chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333 (Revision of IC7718) May 1, 1967, or any adaptation thereof which has been approved by the Agency. "

"Roadway": Any street, highway, road, alley, sidewalk, parking lot, airport, rail bed or terminal, bikeway, pedestrian mall or other structure used for transportation purposes.

"Roll Printing": The application of words, designs and pictures to a substrate usually by means of a series of

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hard rubber or metal rolls each with only partial coverage.

"Rotogravure Printing": The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is recessed relative to the non-image area.

"Safety Relief Valve": A valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

"Sandblasting": The use of a mixture of sand and air at high pressures for cleaning and/or polishing any type of surface.

"Sensor": A device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

"Set of Safety Relief Valves": One or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

"Sheet Basecoat": A coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two-piece or three-piece cans.

"Shotblasting": The use of a mixture of any metallic or non-metallic substance and air at high pressures for cleaning and/or polishing any type of surface.

"Side-Seam Spray Coat": A coating applied to the seam of a three-piece can.

"Smoke": Small gas-borne particles resulting from incomplete combustion, consisting predominately but not exclusively of carbon, ash and other combustible material, that form a visible plume in the air.

"Smokeless Flare": A combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke or other particulate matter emitted to the atmosphere from such combustion does not have an appearance density or shade darker than No. 1 of the Ringelmann Chart.

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"Solvent Cleaning": The process of cleaning soils from surfaces by cold cleaning, open top vapor degreasing or conveyorized degreasing.

"Specialty High Gloss Catalyzed Coating": Commercial contract finishing of material prepared for printers and lithographers where the finishing process uses a solvent-borne coating, formulated with a catalyst, in a quantity of no more than 12,000 gallons/year as supplied, where the coating machines are sheet fed and the coated sheets are brought to a minimum surface temperature of 190° F, and where the coated sheets are to achieve the minimum specular reflectance index of 65 measured at a 60 degree angle with a gloss meter.

"Splash Loading": A method of loading a tank, railroad tank car, tank truck or trailer by use of other than a submerged loading pipe.

"Stack": A flue or conduit, free-standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

"Standard Conditions": A temperature of 70° F and a pressure of 14.7 pounds per square inch absolute (psia).

"Standard Cubic Foot (scf)": The volume of one cubic foot of gas at standard conditions.

"Startup": The setting in operation of an emission source for any purpose.

"Stationary Emission Source": An emission source which is not self-propelled.

"Stationary Storage Tank": Any container of liquid or gas which is designed and constructed to remain at one site.

"Submerged Loading Pipe": Any loading pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. When applied to a tank which is loaded from the side, any loading pipe the discharge of which is entirely submerged when the liquid level is 18 inches or two times the loading pipe diameter, whichever is greater, above the bottom of the tank. The definition shall also apply to

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any loading pipe which is continuously submerged during loading operations.

"Sulfuric Acid Mist": Sulfuric acid mist as measured according to the method specified in 35 Ill. Adm. Code 214.101(b).

"Surface Condenser": A device which removes a substance from a gas stream by reducing the temperature of the stream, without direct contact between the coolant and the stream.

"Synthetic Organic Chemical or Polymer Manufacturing Plant": A plant that produces, as intermediates or final products, one or more of the chemicals or polymers listed in 35 Ill. Adm. Code 215. Appendix D.

"Tablet Coating Operation": A pharmaceutical coating operation in which tablets are coated.

"Top Coat": A film of coating material applied in a multiple coat operation other than the prime coat, final repair coat or prime surfacer coat.

"Transfer Efficiency": ratio of the amount of coating solids deposited onto a part or product to the total amount of coating solids used.

"Tread End Cementing": The application of a solvent-based cement to the tire tread ends.

"True Vapor Pressure": The equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks" (1962).

"Turnaround": The procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.

"Undertread Cementing": The application of a solvent-based cement to the underside of a tire tread.

"Unregulated Safety Relief Valve": A safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.

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"Vacuum Producing System": Any reciprocating, rotary or centrifugal blower or compressor, or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.

"Valves Not Externally Regulated": Valves that have no external controls, such as in-line check valves.

"Vapor Balance System": Any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

"Vapor Collection System": All piping, seals, hoses, connections, pressure-vacuum vents, and other possible sources between the gasoline delivery vessel and the vapor processing unit and/or the storage tanks and vapor holder.

"Vapor Control System": Any system that prevents release to the atmosphere of organic material in the vapors displaced from a tank during the transfer of gasoline.

"Vapor-Mounted Primary Seal": A primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

"Vinyl Coating": The application of a topcoat or printing to vinyl coated fabric or vinyl sheets.

"Volatile Organic Liquid": Any liquid which contains volatile organic material.

"Volatile Organic Material":

Any organic material compound which participates in atmospheric photochemical reactions unless specifically exempted from this definition. For purposes of determining compliance with emission limits, volatile organic material emissions shall be measured by the reference test methods specified under 40 CFR 60, Appendix A (1986) (no future amendments or editions are included), or, if no reference method is applicable, may be determined by mass-balance calculations incorporated by reference in 35 Ill. Adm. Code 215.105. Where such a method also inadvertently measures compounds with negligible

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photochemical reactivity, an owner or operator may exclude these negligibly reactive compounds.

For purposes of this definition, the following organic compounds have been determined to have negligible photochemical reactivity and are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)
Chlorodifluoromethane (CFC-22)
Chloropentafluoroethane (CFC-115)
Dichlorodifluoromethane (CFC-12)
Dichlorofluoroethane (HCFC-141b)
Dichlorotetrafluoroethane (CFC-114)
Dichlorotrifluoroethane (HCFC-123)
Ethane
Methane
Dichloromethane (Methylene chloride)
Tetrafluoroethane (HFC-134a)
Trichloroethane (Methyl chloroform)
Trichlorofluoromethane (CFC-11)
Trichlorotrifluoroethane (CFC-113)
Trifluoromethane (FC-23)

"Volatile Organic Material Content" or "VOMC": the emissions of volatile organic material which would result from the exposure of a coating, printing ink, fountain solution, fire spray, dry cleaning waste or other similar material to the air, including any drying or curing, in the absence of any control equipment. VOMC is typically expressed as kilogram (kg) VOM/liter (lb VOM/gallon) of coating or coating solids, or kg VOM/kg (lb VOM/lb) of coating solids, of coating material or material.

"Volatile Petroleum Liquid": Any petroleum liquid with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.

"Wastewater (Oil/Water) Separator": Any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals of water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.

"Weak Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration of less than 70 percent by weight.

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"Woodworking": The shaping, sawing, grinding, smoothing, polishing and making into products of any form or shape of wood.

(Source: Amended at 15 Ill. Reg. 7901, effective

May 14, 1991)

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1) The Heading of the Part: HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

2) Code Citation: 35 Ill. Adm. Code 720

3) Section Number: Adopted Action:

720.111

Amendment

720.120

Amendment

720.122

Amendment

4) Statutory Authority: Sections 22.4(a) and 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1022.4(a) and 1027

5) Effective Date of Amendments: May 9, 1991

6) Does this rulemaking contain an automatic repeal date?: No.

7) Does this amendment contain incorporations by reference?

Yes. Section 720.111 incorporates rules and regulations of agencies of the United States, and rules, regulations, standards or guidelines of nationally recognized organizations and associations, and guidelines or standards of agencies of the United States. Section 22.4(a) of the Environmental Protection Act provides that this matter is not subject to first notice or to second notice review by JCAR.

8) Date Filed in Agency's Principal Office: Order adopted February 28 and April 11, 1991

9) Notice(s) of Proposal Published in Illinois Register: August 31, 1990; 14 Ill. Reg. 13925

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)?

Section 22.4(a) of the Environmental Protection Act provides that this matter is not subject to first notice or to second notice review by JCAR.

11) Difference(s) between proposal and final version:

Section Difference

720.111

Base text changed to reflect text as adopted in R90-10, October 5, 1990; 14 Ill. Reg.

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16450.

720.122 References to "Petitions to Delist" added in subsections (a)(2), (c)(2), (d)(2) and (e)(2).

720.122(m) "General delistings or" removed.

720.122(n) Option of filing a site-specific rulemaking deleted. Subsections (n)(1) - (3) added.

720.122(p) "showing that the delisting needs to be adopted..." changed to "must include a showing that the waste will be generated or managed..."

720.122(q) "Waste delistings will not be approved if the result would make the Illinois program less than substantially equivalent" changed to: "The Board will not grant any petition which would render the Illinois RCRA program less stringent than if the decision were made by USEPA."

720.122(r) "Will" removed.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides that this matter is not subject to first notice or to second notice review by JCAR.

13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? Yes, in R90-11:

Section Numbers	Proposed Action	Illinois Register Citation
720.111	Amendment	February 15, 1991; 15 Ill. Reg. 2066

15) Summary and Purpose of Rule(s):

A complete description is contained in the Board's Opinion of February 28, 1991 (modified April 11, 1991) in R90-17.

POLLUTION CONTROL BOARD

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which Opinion is available from the address below.

This rulemaking concerns the RCRA hazardous waste regulatory program. "Hazardous waste" is defined in 35 Ill. Adm. Code 721. The program includes requirements for persons generating or transporting hazardous waste (Parts 722 and 723), recycling hazardous waste (Part 726) or treating, storing or disposing of hazardous waste (Parts 702, 703, 724 and 725). Land disposal restrictions are in Part 728.

Section 22.4(a) of the Environmental Protection Act requires the Board to adopt regulations governing hazardous waste which are "identical in substance" with USEPA rules adopted pursuant to the Resource Conservation and Recovery Act. The term "identical in substance" is defined in Section 7.2 of the Environmental Protection Act. Section 22.4(a) also provides that this matter is not subject to Section 5 of the IAPA.

The USEPA hazardous waste rules are in 40 CFR 260 through 270. This rulemaking is in response to USEPA's delegation of delisting authority in the March 1, 1990, Federal Register.

The USEPA rules define hazardous waste in two basic ways. A waste is hazardous either: because it exhibits a hazardous characteristic; or, because it is listed by name or by the name of the process which produces the waste. In the latter case the listings may be overinclusive. For example, USEPA might determine that Process A produces waste M which would then "list" "wastes from Process A" or "Waste M". Generally has hazardous constituents X, Y and Z. USEPA would then "list" "wastes from Process A" or "Waste M". Wastes which met this description would be hazardous, regardless of whether constituents X, Y or Z were actually present. Delisting would be appropriate if the generator demonstrated that X, Y and Z were not actually present in its waste, and that there were no other hazardous constituents.

For delisting, Board has replaced site-specific rulemaking with the newer, more efficient "adjusted standards" procedure of Section 28.1 of the Environmental Protection Act, and has replaced incorporations by reference with the verbatim text of USEPA delisting rules.

Pursuant to public comment, the Board has also made some additional revisions to its delisting rules. Section 720.122(m) has been modified to make it clear that the Board will not follow the delisting procedures for general changes

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to the listings. Rather, these will proceed by "identical in substance" rulemaking (or regular rulemaking if initiated at the State level).

Section 720.122(p) includes the standard for deciding whether a delisting needs to be adopted as part of the Illinois RCRA program. These has been revised to require a showing that the waste "will be generated or managed in Illinois".

Section 720.122(g) includes the standard for keeping the Illinois program "substantially equivalent" with the USEPA program vis-a-vis delisting. The Board will not grant any petition which would render the Illinois program less stringent than if the decision were made by USEPA.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Morton F. Dorothy
Illinois Pollution Control Board
104 W. University
Urbana, IL 61801
217/ 333-5575

The full text of the adopted amendments begins on the following page:

POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 720

HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

Section
720.101
720.102
720.103

Purpose, Scope and Applicability
Availability of Information; Confidentiality of Information
Use of Number and Gender

SUBPART B: DEFINITIONS

Section
720.110
720.111

Definitions
References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section
720.120
720.121
720.122
720.130
720.131
720.132
720.133
720.140
720.141

Rulemaking
Alternative Equivalent Testing Methods
Waste Delisting
Procedures for Solid Waste Determinations
Solid Waste Determinations
Boiler Determinations
Procedures for Determinations
Additional regulation of certain hazardous waste
Recycling Activities on a case-by-case Basis
Procedures for case-by-case regulation of hazardous waste Recycling Activities

Appendix A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in

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R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991.

SUBPART B: DEFINITIONS

Section 720.111 References

- a) The following publications are incorporated by reference:

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, (212) 354-3300:

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, (202) 682-8000:

"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks," 4th Edition, 1981, reaffirmed December, 1987.

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," API Recommended Practice 1632, Second Edition, December, 1987.

"Installation of Underground Petroleum Storage Systems," API Recommended Practice 1615, Fourth Edition, November, 1987.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, (212) 705-7722:

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"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3 - 1987, as supplemented by B31.3a - 1988 and B31.3b - 1988. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4 - 1986, as supplemented by B31.4a - 1987. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, (215) 299-5400:

"ASTM Standard Test Methods for Flash Point of Liquids by Setflash Closed Tester," ASTM Standard D-3828-87.

"ASTM Standard Test Methods for Flash Point Pensky-Martens Closed Tester," ASTM Standard D-93-79 or D-93-80.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783-3238:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846 (November, 1986) and Revision I (December, 1987), Document Number 955-001-0000-1

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, (713) 492-0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP0285-85, approved March, 1985.

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, (617) 770-3000 or (800) 344-3555:

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"Flammable and Combustible Liquids Code" NFPA 30, issued July 17, 1987. Also available from ANSI.

NTIS. Available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4600:

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677)

"Petitions to Delist Hazardous Wastes -- A Guidance Manual", EPA/530-SW-85-003, April, 1985. (Document Number PB 85-194488)

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", EPA-530/SW-611, 1977. (Document number PB 84-174820)

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," See GPO.

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, (312) 498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

USEPA. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202) 783-3238:

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10 CFR 20, Appendix B (1989)

40 CFR 136 (1989)

40 CFR 142 (1989)

40 CFR 220 (1989)

40 CFR 260.20 (1989)

40 CFR 264 (1989)

40 CFR 302.4, 302.5 and 302.6 (1989)

40 CFR 761 (1989)

c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), as amended through December 31, 1987.

d) This Section incorporates no later editions or amendments.

(Source: Amended at 15 Ill. Reg. 7934 , effective May 9, 1991)

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section 720.120 Rulemaking

a) Any person may petition the Board to adopt as State regulations rules which are identical in substance with newly-adopted federal amendments or regulations. The petition shall take the form of a proposal for rulemaking pursuant to 35 Ill. Adm. Code 102. The proposal shall include a listing of all amendments to 40 CFR 260 through 265-266 and 268 which have been made since the last preceding amendment or proposal to amend 35 Ill. Adm. Code 720 through 725-726 and 728, pursuant to Section 22.4(a) of the Environmental Protection Act.

b) Any person may petition the Board to adopt amendments or additional regulations not identical in substance with federal regulations. Such proposal shall conform to 35 Ill. Adm. Code 102 and Title VII and Section

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22.4(b) or 22.4(c) of the Environmental Protection Act.
(Source: Amended at 15 Ill. Reg. 7934 , effective May 9, 1991)

Section 720.122 Waste Delisting

a) Any person seeking to exclude a waste from a particular generating facility from the lists in 35 Ill. Adm. Code 721.Subpart D may file a petition, as specified in subsection (n). The Board will grant the petition if:

- 1) The petitioner demonstrates that the waste produced by a particular generating facility does not meet any of the criteria under which the waste was listed as a hazardous or acute hazardous waste; and
- 2) If the Board determines that there is a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be a hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "petitions to Delist -- A Guidance Manual", incorporated by reference in Section 720.111. A waste which is so excluded, however, still may be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

b) Listed wastes and mixtures. A person may also petition the Board to exclude from 35 Ill. Adm. Code 721.103(a)(2)(B) or (C), a waste which is described in these Sections and is either a waste listed in 35 Ill. Adm. Code 721.Subpart D, or is derived from a waste listed in that Subpart. This exclusion may only be granted for a facility generating, storage, treatment or disposal facility. The petitioner shall make the same demonstration as required by subsection (a). Where the waste is a mixture of a solid waste and one or more listed hazardous wastes or is derived from one or more listed hazardous wastes, the demonstration must be made with respect to the waste mixture as a whole; analyses must be conducted for not only those constituents for which the listed waste contained in the mixture was listed as hazardous, but also for factors (including additional constituents) that could

cause the waste mixture to be a hazardous waste. A waste which is so excluded may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

c)

Ignitable, corrosive, reactive and toxicity characteristic wastes. If the waste is listed in codes "I", "C", "R" or "E" in 35 Ill. Adm. Code 721.Subpart D:

- 1) The petitioner shall demonstrate that the waste does not exhibit the relevant characteristic for which the waste was listed, as defined in 35 Ill. Adm. Code 721.121, 721.122, 721.123 or 721.124, using any applicable methods prescribed in those Sections. The petitioner shall also show that the waste does not exhibit any of the other characteristics, defined in those Sections, using any applicable methods prescribed in those Sections;

- 2) Based on a complete petition, the Board will determine, if it has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "petitions to Delist -- A Guidance Manual", incorporated by reference in Section 720.111. A waste which is so excluded, however, may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

d)

Toxic waste. If the waste is listed in code "T" in 35 Ill. Adm. Code 721.Subpart D:

- 1) The petitioner shall demonstrate that the waste:

- A) Does not contain the constituent or constituents (as defined in 35 Ill. Adm. Code 721.Appendix G) that caused USEPA to list the waste, using the appropriate test methods prescribed in 35 Ill. Adm. Code 721.Appendix C; or
- B) Although containing one or more of the hazardous constituents (as defined in 35 Ill. Adm. Code 721.Appendix G) that caused USEPA

POLLUTION CONTROL BOARD

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to list the waste, does not meet the criterion of 35 Ill. Adm. Code 721.111(a)(3) when considering the factors used in 35 Ill. Adm. Code 721.111(a)(3)(A) through (K) under which the waste was listed as hazardous; and

- 2) Based on a complete petition, the Board will determine, if it has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "Petitions to Delist -- A Guidance Manual", incorporated by reference in Section 720.111.

- 3) The petitioner shall demonstrate that the waste does not exhibit any of the characteristics, defined in 35 Ill. Adm. Code 721.121, 721.122, 721.123 or 721.124, using any applicable methods prescribed in those Sections.

- 4) A waste which is so excluded, however, may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

- e) Acute hazardous waste. If the waste is listed with the code "H" in 35 Ill. Adm. Code 721.Subpart D:

- 1) The petitioner shall demonstrate that the waste does not meet the criterion of 35 Ill. Adm. Code 721.111(a)(2); and

- 2) Based on a complete petition, the Board will determine, if it has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "Petitions to Delist -- A Guidance Manual", incorporated by reference in Section 720.111.

- 3) The petitioner shall demonstrate that the waste does not exhibit any of the characteristics.

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defined in 35 Ill. Adm. Code 721.121, 721.122, 721.123 or 721.124, using any applicable methods prescribed in those Sections.

- 4) A waste which is so excluded, however, may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

- h) Demonstration samples must consist of enough representative samples, but in no case less than four samples, taken over a period of time sufficient to represent the variability or the uniformity of the waste.

- i) Each petition must include, in addition to the information required by subsection (n):

- 1) The name and address of the laboratory facility performing the sampling or tests of the waste;
- 2) The names and qualifications of the persons sampling and testing the waste;
- 3) The dates of sampling and testing;
- 4) The location of the generating facility;
- 5) A description of the manufacturing processes or other operations and feed materials producing the waste and an assessment of whether such processes, operations or feed materials can or might produce a waste which is not covered by the demonstration;
- 6) A description of the waste and an estimate of the average and maximum monthly and annual quantities of waste covered by the demonstration;
- 7) Pertinent data on and discussion of the factors delineated in the respective criterion for listing a hazardous waste, where the demonstration is based on the factors in 35 Ill. Adm. Code 721.111(a)(3);
- 8) A description of the methodologies and equipment used to obtain the representative samples;
- 9) A description of the sample handling and

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preparation techniques, including techniques used for extraction, containerization and preservation of the samples;

- 10) A description of the tests performed (including results);
- 11) The names and model numbers of the instruments used in performing the tests; and
- 12) The following statement signed by the generator or the generator's authorized representative:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

- 1) After receiving a petition, the Board may request any additional information which the Board needs to evaluate the petition.
- 2) An exclusion will only apply to the waste generated at the individual facility covered by the demonstration and will not apply to waste from any other facility.
- 3) The Board will exclude only part of the waste for which the demonstration is submitted if the Board determines that variability of the waste justifies a partial exclusion.

BOARD NOTE: See "Petitions to Delist Hazardous Wastes -- A Guidance Manual", incorporated by reference in Section 720.111.

a) General delistings or d-Delisting of specific wastes from specific sources which have been adopted by USEPA may be proposed as s-State regulations which are identical in substance pursuant to Section 720.120(a).

b) Delistings which have not been adopted by USEPA may be

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proposed to the Board pursuant to Section 720.120(b); however, this does not infer that the Board has authority to adopt such delistings. The Board will determine whether it has authority to delist such wastes on a case-by-case basis a petition for adjusted standard pursuant to 35 Ill. Adm. Code 106.Subpart G. The justification for the adjusted standard is as specified in subsections (a) et seq., as applicable to the waste in question. The petition must be clearly labeled as a RCRA delisting adjusted standard petition.

- 1) In accordance with 35 Ill. Adm. Code 106.710, the petitioner shall serve copies of the petition, and any other documents filed with the Board, on USEPA at the following addresses:

USEPA

Office of Solid Waste and Emergency Response
Washington, D.C. 20460

USEPA, Region V

230 S. Dearborn Street
Chicago, IL 60604

- 2) The Board will mail copies of all opinions and orders to USEPA at the above addresses.
- 3) In conjunction with the normal updating of the RCRA regulations, the Board will maintain, in 35 Ill. Adm. Code 721.Appendix I, a listing of all adjusted standards granted by the Board.
- e) The Agency may determine in a permit or a letter directed to a generator that, based on 35 Ill. Adm. Code 721, a waste from a particular source is not subject to these regulations. Such a finding is evidence against the Agency in any subsequent proceedings but shall not be conclusive with reference to other persons or the Board.
- d) The Board incorporates by reference 40 CFR 260.22 (1988), as amended at 54 Fed. Reg. 27416, June 27, 1989. This Section incorporates no future amendments or editions. Any petition to delist directed to the Board or request for determination directed to the Agency shall include the information required by 40 CFR 260.22 and a showing that the delisting needs to be adopted as a part of the Illinois RCRA program. Must include a showing that the waste will be generated or

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managed in Illinois.

e g) ~~Waste delistings will not be approved if the result would make the Illinois program less than substantially equivalent to the federal. The Board will not grant any petition which would render the Illinois RCRA program less stringent than if the decision were made by USEPA.~~

f r) ~~Delistings will apply only within Illinois. Generators shall comply with 35 Ill. Adm. Code 722 for waste which is hazardous in any state to which it is to be transported.~~

(Source: Amended at 15 Ill. Reg. 7934, effective May 9, 1991)

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1) The Heading of the Part: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

2) Code Citation: 35 Ill. Adm. Code 721

3) Section Number: Adopted Action:

721.110

Amendment

721.111

Amendment

4) Statutory Authority: Sections 22.4(a) and 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1022.4(a) and 1027

5) Effective Date of Amendments: May 9, 1991

6) Does this rulemaking contain an automatic repeal date?: No.

7) Does this amendment contain incorporations by reference?

8) Date Filed in Agency's Principal Office: Order of February 28, 1991, modified April 11, 1991

9) Notice(s) of Proposal Published in Illinois Register: August 31, 1990; 14 Ill. Reg. 13938

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)?

Section 22.4(a) of the Environmental Protection Act provides that this matter is not subject to first notice or to second notice review by JCAR.

11) Difference(s) between proposal and final version:

SectionDifference

721.111(a)(3)

"... unless, ... the waste is not capable ..." changed to "... and, ... the waste is capable ..."

721.111(a)(4)

Moved to Board Note following the introduction to subsection (a)(3).

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides

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that this matter is not subject to first notice or to second notice review by JCAR.

- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

- 14) Are there any amendments pending on this Part? Yes, in R90-11:

Section Numbers	Proposed Action	Illinois Register Citation
721.111	Amendment	February 15, 1991; 15 Ill. Reg. 2075

- 15) Summary and Purpose of Rule(s):

A complete description is contained in the Board's Opinion of February 28, 1991 (modified April 11, 1991) in R90-17, which Opinion is available from the address below.

This rulemaking concerns the RCRA hazardous waste regulatory program. "Hazardous waste" is defined in 35 Ill. Adm. Code 721. The program includes requirements for persons generating or transporting hazardous waste (Parts 722 and 723), recycling hazardous waste (Part 726) or treating, storing or disposing of hazardous waste (Parts 702, 703, 724 and 725). Land disposal restrictions are in Part 728.

Section 22.4(a) of the Environmental Protection Act requires the Board to adopt regulations governing hazardous waste which are "identical in substance" with USEPA rules adopted pursuant to the Resource Conservation and Recovery Act. The term "identical in substance" is defined in Section 7.2 of the Environmental Protection Act. Section 22.4(a) also provides that this matter is not subject to Section 5 of the IAPA.

The USEPA hazardous waste rules are in 40 CFR 260 through 270. This rulemaking is in response to USEPA's delegation of delisting authority in the March 1, 1990, Federal Register.

The USEPA rules define hazardous waste in two basic ways. A waste is hazardous either: because it exhibits a hazardous characteristic; or, because it is listed by name or by the name of the process which produces the waste. In the latter case the listings may be overinclusive. For example, USEPA might determine that Process A produces waste M which

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generally has hazardous constituents X, Y and Z. USEPA would then "list" "wastes from Process A" or "Waste M". Wastes which met this description would be hazardous, regardless of whether constituents X, Y or Z were actually present. Delisting would be appropriate if the generator demonstrated that X, Y and Z were not actually present in its waste, and that there were no other hazardous constituents.

For delisting, Board has replaced site-specific rulemaking with the newer, more efficient "adjusted standards" procedure of Section 28.1 of the Environmental Protection Act, and has replaced incorporations by reference with the verbatim text of USEPA delisting rules. The changes to Part 721 are mainly of the latter type. In addition, the Board has updated the text of Section 721.111(a)(3) to reflect a USEPA amendment at 55 Fed. Reg. 18726, May 4, 1990.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Morton F. Dorothy
Illinois Pollution Control Board
104 W. University
Urbana, IL 61801
217/ 333-5575

The full text of the adopted amendments begins on the following page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721

IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section	Purpose of Scope
721.101	Definition of Solid Waste
721.102	Definition of Hazardous Waste
721.103	Exclusions
721.104	Special Requirements for Hazardous Waste Generated by Small Quantity Generators
721.105	Requirements for Recyclable Materials
721.106	Residues of Hazardous Waste in Empty Containers
721.107	PCB Wastes Regulated under TSCA
721.108	

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTES

Section	Criteria for Identifying the Characteristics of Hazardous Waste
721.110	
721.111	Criteria for Listing Hazardous Waste

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	General
721.120	Characteristic of Ignitability
721.121	Characteristic of Corrosivity
721.122	Characteristic of Reactivity
721.123	Toxicity Characteristic
721.124	

SUBPART D: LISTS OF HAZARDOUS WASTE

Section	General
721.130	Hazardous Wastes From Nonspecific Sources
721.131	Hazardous Waste From Specific Sources
721.132	Discarded Commercial Chemical Products, Off-Specification Species, Container Residues and Spill Residues Thereof
721.133	

Appendix A	Representative Sampling Methods
Appendix B	Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
Appendix C	Chemical Analysis Test Methods
Table A	Analytical Characteristics of Organic Chemicals

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Table B	(Repealed) Analytical Characteristics of Inorganic Species (Repealed)
Table C	Sample Preparation/Sample Introduction Techniques (Repealed)
Appendix G	Basis for Listing Hazardous Wastes
Appendix H	Hazardous Constituents
Appendix I	Wastes Excluded under Section 720.120 and 720.122
Table A	Wastes Excluded from Non-Specific Sources
Table B	Wastes Excluded from Specific Sources
Table C	Wastes Excluded From Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
Appendix J	Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans
Appendix Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991.

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS

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OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTE

Section 721.110 Criteria for Identifying the Characteristics of Hazardous Waste

~~The basis of the hazardous waste characteristics is given at 40 CFR Section 261.10. The characteristics are found at Section 721.120 et. seq.~~

- a) USEPA identifies and defines a characteristic of hazardous waste in Subpart C only upon determining that:

1) A solid waste which exhibits the characteristic may:

A) Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

B) Pose a substantial present or potential hazard to human health or the environment when it is improperly treated, stored, transported, disposed of or otherwise managed; and

2) The characteristic can be:

A) Measured by an available standardized test method which is reasonable within the capability of generators of solid waste or private sector laboratories which are available to serve generators of solid waste; or

B) Reasonably detected by generators of solid waste through their knowledge of their waste.

- b) Delisting procedures are contained in 35 Ill. Adm. Code 720.122.

(Source: Amended at 15 Ill. Reg. 7950, effective May 9, 1991)

Section 721.111 Criteria for Listing Hazardous Waste

- a) ~~USEPA's criteria for listing hazardous waste are given at 40 CFR Section 261.11. USEPA lists a solid waste~~

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as a hazardous waste only upon determining that the solid waste meets one of the following criteria:

- 1) It exhibits any of the characteristics of hazardous waste identified in Subpart C; or
- 2) ~~"mu" list. Acute hazardous wastes are listed in Section 721.133(e). Acute hazardous wastes are those which have been found to be fatal. Acute toxic wastes are those which have Acute hazardous waste. It has been found to be fatal to humans in low doses or, in the absence of data on human toxicity, it has been shown in studies to have an oral LD 50 toxicity (rat) of less than 50 mg/kg, an inhalation LC 50 toxicity (rat) of less than 2 mg/l-L, or a dermal LD 50 toxicity (rabbit) of less than 200 mg/kg or is otherwise capable of causing or significantly contributing to an increase in serious irreversible or incapacitating reversible, illness.~~

BOARD NOTE: ~~Waste listed in accordance with these criteria will be designated Acute Hazardous Waste.~~

- 3) Toxic waste. It contains any of the toxic constituents listed in Appendix H and, after considering any of the following factors, USEPA concludes that the waste is capable of posing a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of, or otherwise managed:

BOARD NOTE: Substances are listed in Appendix H only if they have been shown in scientific studies to have toxic, carcinogenic, mutagenic or teratogenic effects on humans or other life forms.

- A) The nature of the toxicity presented by the constituent.
- B) The concentration of the constituent in the waste.
- C) The potential of the constituent or any toxic degradation product of the constituent to migrate from the waste into the environment under the types of improper management

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considered in subsection (a)(3)(G).

D) The persistence of the constituent or any toxic degradation product of the constituent.

E) The potential for the constituent or any toxic degradation product of the constituent to degrade into nonharmful constituents and the rate of degradation.

F) The degree to which the constituent or any degradation product of the constituent bioaccumulates in ecosystems.

G) The plausible types of improper management to which the waste could be subjected.

H) The quantities of the waste generated at individual generation sites or on a regional or national basis.

I) The nature and severity of the human health and environmental damage that has occurred as a result of the improper management of the wastes containing the constituent.

J) Action taken by other governmental agencies or regulatory programs based on the health or environmental hazard posed by the waste or waste constituent.

K) Such other factors as may be appropriate.

BOARD NOTE: Wastes listed in accordance with these criteria are designated toxic wastes.

b) USEPA may list classes or types of solid waste as hazardous waste if USEPA has reason to believe that individual wastes, within the class or type of waste, typically or frequently are hazardous under the definition of hazardous waste found in Section 1004(5) of the Resource Conservation and Recovery Act (42 USC 6901 et seq.)

c) "G" list: Toxic wastes are listed in §21.133(f). The method for listing toxic wastes is given at 40 CFR §21.11(a)(3). USEPA will use the criteria for listing specified in this Section to establish the exclusion limits referred to in Section 721.105(c).

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(Source: Amended at 15 Ill. Reg. 7950, effective May 9, 1991)

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1) The Heading of the Part: Management of Used and Waste Tires

2) Code Citation: 35 Ill. Adm. Code 848

3) Section Number: Adopted Action:

848.101, 848.102, 848.103	New Section
848.104, 848.105, 848.201	New Section
848.202, 848.203, 848.204	New Section
848.205, 848.301, 848.302	New Section
848.303, 848.304, 848.305	New Section
848.306, 848.400, 848.401	New Section
848.402, 848.403, 848.404	New Section
848.406, 848.407, 848.408	New Section
848.410, 848.413, 848.415	New Section
848.501, 848.502, 848.503	New Section
848.504, 848.505, 848.506	New Section
848.507, 848.508, 848.509	New Section
848.601, 848.602, 848.603	New Section
848.604, 848.605, 848.606	New Section
848.App. A, Illus. A, B, C	New Section
848.App. A, Illus. D, E, F	New Section

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1053 et seq.

5) Effective Date of Amendments: May 10, 1991

6) Does this rulemaking contain an automatic repeal date?: No.

7) Does this amendment contain incorporations by reference?

Yes; pursuant to Section 6.02(a) of the Administrative Procedure Act.

If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking? No.

8) Date Filed in Agency's Principal Office: April 25, 1991

9) Notice(s) of Proposal Published in Illinois Register: 14 Ill. Reg. 7763; May 25, 1990.

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? If answer is "yes," please complete the following: No.

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A) Statement of Objection: _____, Ill. Reg. _____
 B) Agency Response: _____, Ill. Reg. _____
 C) Date Agency Response Submitted for Approval to JCAR: _____

11) Difference(s) between proposal and final version:
 Please refer to the Board's Opinion and Order (R90-9); April 25, 1991.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?
 Yes.

13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No; new Part.

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
------------------------	------------------------	-----------------------------------

15) Summary and Purpose of Rule(s):

A complete description is contained in the Board's Opinion of April 25, 1991 in R90-9, which is available at the address below. This rule satisfies the legislative mandate to adopt rules concerning storage, processing and transportation of used and waste tires. See Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1055.2.

16) Information and questions regarding this adopted amendment shall be directed to:

Mark P. Miller
 Illinois Pollution Control Board
 104 W. University
 Urbana, IL 61801

217/ 333-5574

The full text of the adopted rule(s) begins on the following page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED RULES

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER m: USED AND WASTE TIRES

PART 848

MANAGEMENT OF USED AND WASTE TIRES

SUBPART A: GENERAL

Section

848.101

848.102

848.103

848.104

848.105

Incorporation by Reference

SUBPART B: MANAGEMENT STANDARDS

Section

848.201

848.202

848.203

848.204

848.205

Storage of Used and Waste Tires Within Buildings

Pesticide Treatment

SUBPART C: RECORDKEEPING AND REPORTING

Section

848.301

848.302

848.303

848.304

848.305

848.306

Certification

SUBPART D: FINANCIAL ASSURANCE

Section

848.400

848.401

848.402

848.403

848.404

848.405

848.406

848.407

848.408

848.410

Trust Fund

Use of Multiple Financial Mechanisms for Multiple Sites

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Letter of Credit

Self-Insurance for Non-commercial Sites

SUBPART E: TIRE REMOVAL AGREEMENTS

Section

848.501

848.502

848.503

848.504

848.505

848.506

848.507

848.508

848.509

Board Review

SUBPART F: TIRE TRANSPORTATION REQUIREMENTS

Section

848.601

848.602

848.603

848.604

848.605

848.606

Vehicle Placarding

848.Appendix A FINANCIAL ASSURANCE FORMS

Illustration A "Trust Agreement"

Illustration B "Certification of Acknowledgement"

Illustration C "Irrevocable Standby Letter of Credit"

Illustration D "Owner or Operator's Bond Without Surety"

Illustration E "Owner or Operator's Bond With Parent

Surety"

Illustration F "Letter from the Chief Financial Officer"

AUTHORITY: Implementing Section 55.2 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1055.2 and 1027).

SOURCE: Adopted in R90-9, at Ill. Reg. 7959, effective May 10, 1991.

NOTE: Capitalization denotes statutory language.

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SUBPART A: GENERAL

Section 848.101

Applicability

Section 55 of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1055) sets forth prohibitions relative to the storage, processing, disposal, and transportation of used and waste tires. This Part sets forth rules establishing further requirements relative to the storage, processing, disposal and transportation of used and waste tires. This Part shall not apply to any site at which tires are retreaded if the owner or operator of such a site holds a valid registration as a tire retreader pursuant to 49 CFR 571.117 and 49 CFR 574 (incorporated by reference at Section 848.105) and complies with 35 Ill. Adm. Code 849.

Section 848.102

Severability

If any section, subsection, sentence or clause of this Part shall be adjudged unconstitutional, invalid or otherwise not effective for any reason, such adjudication shall not affect the validity of this Part as a whole or of any section, subsection, sentence or clause thereof not adjudged unconstitutional, invalid or otherwise not effective for any reason.

Section 848.103

Other Regulations

- a) The requirements of this Part are in addition to other requirements in the Act or Board regulations. In case of conflict, applicability will be determined on the basis of considerations such as, but not limited to, the degree to which the statutory language in the Act or Board regulation is expressly stated or necessarily implied, United States Environmental Protection Agency program authorization requirements, and the comparative stringency of the regulations.
- b) The following are examples of other regulations which may be applicable to sites or facilities subject to this Part: 35 Ill. Adm. Code: Subtitle B: Air Pollution; 35 Ill. Adm. Code: Subtitle C: Water Pollution; 35 Ill. Adm. Code: Subtitle H: Noise Pollution; and 35 Ill. Adm. Code: Subtitle G: Waste Disposal.

Section 848.104

Definitions

For the purposes of this Part, except as the context otherwise clearly requires, the words and terms defined in this Section shall have the meanings given herein. Words and terms not defined shall have the meanings otherwise set forth in the Act and regulations adopted thereunder.

"Act" means the Illinois Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1001 et seq.).

"Aisle" means an accessible clear space between storage piles or groups of piles suitable for housekeeping operations, visual inspection of piling areas and initial fire fighting operations.

"ALTERED TIRE" MEANS A USED TIRE WHICH HAS BEEN ALTERED SO THAT IT IS NO LONGER CAPABLE OF HOLDING ACCUMULATIONS OF WATER, INCLUDING, BUT NOT LIMITED TO, USED TIRES THAT HAVE BEEN SHREDDED, CHOPPED, DRILLED WITH HOLES SUFFICIENT TO ASSURE DRAINAGE, SLIT LONGITUDINALLY AND STACKED SO AS NOT TO COLLECT WATER OR WHOLLY OR PARTIALLY FILLED WITH CEMENT OR OTHER MATERIAL TO PREVENT THE ACCUMULATION OF WATER. "ALTERATION" OR "ALTERING" MEANS ACTION WHICH PRODUCES AN ALTERED TIRE. (Section 54.01 of the Act)

"CONVERTED TIRE" MEANS A USED TIRE WHICH HAS BEEN MANUFACTURED INTO A USABLE COMMODITY OTHER THAN A TIRE. "CONVERSION" OR "CONVERTING" MEANS ACTION WHICH PRODUCES A CONVERTED TIRE. USABLE PRODUCTS MANUFACTURED FROM TIRES, WHICH PRODUCTS ARE THEMSELVES CAPABLE OF HOLDING ACCUMULATIONS OF WATER, SHALL BE DEEMED TO BE "CONVERTED" IF THEY ARE STACKED, PACKAGED, BOXED, CONTAINERIZED OR ENCLOSED IN SUCH A MANNER AS TO PRECLUDE EXPOSURE TO PRECIPITATION PRIOR TO SALE OR CONVEYANCE. (Section 54.02 of the Act)

"COVERED TIRE" MEANS A USED TIRE LOCATED IN A BUILDING, VEHICLE OR FACILITY WITH A ROOF EXTENDING OVER THE TIRE, OR SECURELY LOCATED UNDER A MATERIAL SO AS TO PRECLUDE EXPOSURE TO PRECIPITATION. (Section 54.03 of the Act)

"DISPOSAL" MEANS THE PLACEMENT OF USED TIRES INTO OR ON ANY LAND OR WATER EXCEPT AS AN INTEGRAL PART OF

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SYSTEMATIC REUSE OR CONVERSION IN THE REGULAR COURSE OF BUSINESS. (Section 54.04 of the Act)

"NEW TIRE" MEANS A TIRE WHICH HAS NEVER BEEN PLACED ON A VEHICLE WHEEL RIM. (Section 54.05 of the Act)

"PROCESSING" MEANS THE ALTERING, CONVERTING OR REPROCESSING OF USED OR WASTE TIRES. (Section 54.06 of the Act)

"REPROCESSED TIRE" MEANS A USED TIRE WHICH HAS BEEN RECAPPED, RETREADED OR REGROOVED AND WHICH HAS NOT BEEN PLACED ON A VEHICLE WHEEL RIM. (Section 54.07 of the Act)

"Retread" or "Retreading" means the process of attaching tread to the casing of used tires.

"REUSED TIRE" MEANS A USED TIRE THAT IS USED AGAIN, IN PART OR AS A WHOLE, BY BEING EMPLOYED IN A PARTICULAR FUNCTION OR APPLICATION AS AN EFFECTIVE SUBSTITUTE FOR A COMMERCIAL PRODUCT OR FUEL WITHOUT HAVING BEEN CONVERTED. (Section 54.08 of the Act)

"STORAGE" MEANS ANY ACCUMULATION OF USED TIRES THAT DOES NOT CONSTITUTE DISPOSAL. AT A MINIMUM, SUCH AN ACCUMULATION MUST BE AN INTEGRAL PART OF THE SYSTEMATIC ALTERATION, REUSE, REPROCESSING OR CONVERSION OF THE TIRE IN THE REGULAR COURSE OF BUSINESS. (Section 54.09 of the Act)

"TIRE" MEANS A HOLLOW RING, MADE OF RUBBER OR SIMILAR MATERIALS, WHICH WAS MANUFACTURED FOR THE PURPOSE OF BEING PLACED ON THE WHEEL RIM OF A VEHICLE. (Section 54.10 of the Act)

"TIRE DISPOSAL SITE" MEANS A SITE WHERE USED TIRES HAVE BEEN DISPOSED OF OTHER THAN AT A LANDFILL PERMITTED BY THE AGENCY, or operated in accordance with Section 55 (d) of the Act. (Section 54.11 of the Act)

"Tire retreader" means a person who retreads used tires.

"TIRE STORAGE SITE" MEANS A SITE WHERE USED TIRES ARE STORED OR PROCESSED, OTHER THAN THE SITE AT WHICH THE TIRES WERE SEPARATED FROM THE VEHICLE WHEEL RIM, THE SITE WHERE THE USED TIRES WERE ACCEPTED IN TRADE AS

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PART OF A SALE OF NEW TIRES, OR A SITE AT WHICH BOTH NEW AND USED TIRES ARE SOLD AT RETAIL IN THE REGULAR COURSE OF BUSINESS, AND AT WHICH NOT MORE THAN 250 USED TIRES ARE KEPT AT ANY TIME. (Section 54.12 of the Act)

"Tire Storage Unit" means a pile of tires or a group of piles of tires at a tire storage site.

"Tire Transporter" means a person who transports used or waste tires in a vehicle.

"USED TIRE" MEANS A WORN, DAMAGED OR DEFECTIVE TIRE WHICH IS NOT MOUNTED ON A VEHICLE WHEEL RIM. (Section 54.13 of the Act)

"VECTOR" MEANS ARTHROPODS, RATS, MICE, BIRDS OR OTHER ANIMALS CAPABLE OF CARRYING DISEASE-PRODUCING ORGANISMS TO A HUMAN OR ANIMAL HOST. "VECTOR" DOES NOT INCLUDE ANIMALS THAT TRANSMIT DISEASE TO HUMANS ONLY WHEN USED AS HUMAN FOOD. (Section 54.14 of the Act)

"VEHICLE" MEANS EVERY DEVICE IN, UPON OR BY WHICH ANY PERSON OR PROPERTY IS OR MAY BE TRANSPORTED OR DRAWN, EXCEPT DEVICES MOVED BY HUMAN POWER OR BY ANIMAL POWER, DEVICES USED EXCLUSIVELY UPON STATIONARY RAILS OR TRACKS, AND MOTORIZED WHEELCHAIRS. (Section 54.15 of the Act)

"WASTE TIRE" MEANS A USED TIRE THAT HAS BEEN DISPOSED OF. (Section 54.16 of the Act)

Section 848.105 Incorporation by Reference

a) The Board incorporates the following documents by reference:

- 1) National Consensus Standard, NFPA 231D (1989) by reference.
- 2) 49 CFR 571.117 (1989).
- 3) 49 CFR 574 (1989).

4) "Accounting Standards, General Standards", 1988/89 Edition, as of June 1, 1988, available from the Financial Accounting Standards Board, 401 Merrit 7, P.O. Box 5116, Norwalk, CT 06856-5116.

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- 5) "Auditing Standards"--Current Text, August 1, 1990 Edition, available from the American Institute of Certified Public Accountants, 1211 Avenue of the Americas, New York, NY 10036.

- b) This Section incorporates no later amendments or editions.

SUBPART B: MANAGEMENT STANDARDS

Section 848.201 Applicability

- a) This Part does not apply to used and waste tires exempted pursuant to Section 55.1 of the Act.
- b) Owners and operators of tire storage sites and tire disposal sites whose operations are not specifically exempted by subsections (c) through (f) shall:
- 1) Meet the requirements of this Part by January 1, 1992 if used or waste tires were disposed of or stored prior to January 1, 1992; or
 - 2) Meet the requirements of this Part prior to storing or disposing any used or waste tires at the site if the site first accepts tires for storage or disposal after January 1, 1992.

- c) Tire storage sites and tire disposal sites where less than 50 used or waste tires are stored at the site are exempted from the requirements of this Part. However, the prohibitions of Section 55 of the Act do apply to such sites.

- d) This Part does not apply to used or waste tires disposed in permitted areas of landfills permitted by the Agency pursuant to 35 Ill. Adm. Code: Subtitle G: Waste Disposal. Used or waste tires stored at a landfill permitted pursuant to 35 Ill. Adm. Code: Subtitle G: Waste Disposal are subject to the requirements of this Part.

- e) Owners or Operators who comply with the requirements of this Part are not subject to the provisions of 35 Ill. Adm. Code 849.

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- f) Used or waste tires which have been altered by chopping, shredding or slicing, and stored at the site where such tires are burned as fuel, are exempted from the requirements of this Part.

Section 848.202 Requirements

- a) Unless exempted by Section 848.201, owners and operators of tire storage sites and tire disposal sites shall meet the requirements of this Section. These requirements shall apply to all used or waste tires located at the site, including altered tires, converted tires and reprocessed tires.
- b) At sites at which more than 50 used or waste tires are located the owner or operator shall comply with the following requirements:
- 1) Used or waste tires shall not be placed on or accumulated in any pile outside of any building unless the pile is separated from all other piles by no less than 25 feet and aisle space is maintained to allow the unobstructed movement of personnel and equipment.
 - 2) Used or waste tires shall not be accumulated in any area located outside of any building unless the accumulation is separated from all buildings, whether on or off the site, by no less than 25 feet.
 - 3) Used or waste tires shall not be placed on or accumulated in any pile unless the pile is separated from all potential ignition sources, including cutting and welding devices, and open fires, by not less than 250 feet or all such activities are carried out within a building.
 - 4) Used or waste tires shall be drained of water on the day of generation or receipt.
 - 5) Used or waste tires received at the site shall not be stored unless within 14 days after the receipt of any used tire the used tire is altered, reprocessed, converted, covered or otherwise prevented from accumulating water. All used and waste tires received at the site before June 1, 1989, shall be altered, reprocessed, converted,

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covered or otherwise prevented from accumulating water by January 1, 1992.

6) USED OR WASTE TIRES SHALL NOT BE ABANDONED, DUMPED OR DISPOSED ON PRIVATE OR PUBLIC PROPERTY IN ILLINOIS, EXCEPT IN A LANDFILL PERMITTED BY THE AGENCY PURSUANT TO 35 ILL. ADM. CODE PART 807. (Section 55(a)(5) of the Act)

7) Used or waste tires shall not be accepted from a vehicle in which more than 20 tires are loaded unless the vehicle displays a placard issued by the Agency under Section 848: Subpart F.

8) Tires shall not be accumulated in an area if the grade of the ground surface exceeds two percent slope unless the requirements of subsection (d)(3) of this Section are met.

c) In addition to the requirements set forth in subsection (b), the owner or operator shall comply with the following requirements at sites at which more than 500 used or waste tires are located.

1) A contingency plan which meets the requirements of Section 848.203 shall be maintained.

2) The recordkeeping and reporting requirements of Subpart C shall be met.

3) Used or waste tires shall not be placed on or accumulated in any pile unless the pile is separated from grass, weeds, brush, over-hanging tree limbs and similar vegetative growth by no less than 50 feet.

4) Used or waste tires shall not be placed on or accumulated in any tire storage unit unless the unit is no more than 20 feet high by 250 feet wide by 250 feet long. In determining the width or length of any tire storage unit the aisle space between any piles within the unit shall be included.

5) Used or waste tires shall not be placed or accumulated in any tire storage unit unless one of the following requirements is met:

- A) The tire storage unit is separated from all buildings, whether located on or off the site, and all other tire storage units by an earthen berm that is no less than 1.5 times the maximum height of any tire pile within the storage unit; or
- B) The tire storage unit is separated from all buildings, whether located on or off the site, and all other tire storage units by a separation distance that is not less than the distance identified by the following:

Required Separation Distances						
From Tire Storage Units (in feet)						
		Tire Storage Unit Height (in feet)				
		8	12	16	20	
Unit Face Dimensions (feet)	25	56	67	77	85	
	50	75	93	107	118	
	100	100	128	146	164	
	150	117	149	178	198	
	200	130	167	198	226	
	250	140	181	216	245	

d) In addition to the requirements set forth in subsections (b) and (c) of this Section, the owner or operator shall comply with the following requirements at sites at which more than 10,000 used or waste tires are located.

- 1) The area of the site where used or waste tires are stored shall be completely surrounded by fencing in good repair which is not less than 6 feet in height.
- 2) Entrance to the area where used or waste tires are located shall be controlled at all times by an attendant, locked entrance, television monitors, controlled roadway access or other equivalent mechanisms.

- 3) The area of the site where used or waste tires are stored shall be completely surrounded by an earthen berm or other structure not less than 2 feet in height except that the owner or operator shall provide a means for access through or over the berm or other structure, capable of containing runoff resulting from tire fires, accessible by fire fighting equipment.

Section 848.203

Contingency Plan

- a) If an owner or operator of a tire storage site or tire disposal site is required by Section 848.202 to have a contingency plan under this Section, the owner or operator must meet the contingency plan requirements of this Section.

- b) The contingency plan must be designed to minimize the hazards to human health and the environment from fires and run-off of contaminants resulting from fires and from disease-spreading mosquitoes and other nuisance organisms which may breed in water accumulations in used or waste tires.

- c) The provisions of this plan must be carried out immediately whenever there is a fire or run-off resulting from tire fire, or evidence of mosquito production in used or waste tires.

- d) The contingency plan must describe the actions site personnel must take in response to fires, run-off resulting from tire fires, and mosquito breeding in used or waste tires.

- e) The contingency plan must include evacuation procedures for site personnel which describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by fire). The contingency plan must include provisions for pesticide application or other measures for control of mosquito breeding in used and waste tires.

- f) A copy of the contingency plan and all revisions to the plan must be maintained at the site, and submitted to the local fire departments, police departments, the Agency, and state and local emergency response teams that may be called upon to provide emergency service.

- g) The contingency plan must be reviewed and amended within 30 days, if the plan fails in an emergency or the list of emergency coordinators changes.
- h) At all times, there must be at least one employee, either on the site premises or on call, with responsibility for coordinating all emergency response measures. This emergency coordinator must be familiar with all aspects of the contingency plan, all operations and activities at the site, the location of all records within the site and the site layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.

Section 848.204

Storage of Used and Waste Tires Within Buildings

- a) Owners or operators of tire storage sites or tire disposal sites who store used or waste tires within buildings shall meet the requirements of this Section.
- b) Used or waste tires may be stored within a building if:
- 1) the tires are drained of all water prior to placement in the building;
 - 2) all of the building's windows and doors are in working order and are secured to prevent unauthorized access;
 - 3) the building is fully enclosed and has a roof and sides which are impermeable to precipitation; and
 - 4) the building is not a single family home or a residential dwelling.
- c) In addition to the requirements set forth in subsection (b), if 500 or more used or waste tires are stored within a building, then the owner or operator shall:
- 1) develop a tire storage plan in consultation with the local fire department or the state fire marshal meeting the following requirements:
 - A) the plan shall be developed by considering the type of building to be used for tire

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storage, i.e. warehouse or grain elevator, and the type of used or waste tires being stored, i.e. whole or shredded;

B) the plan shall include, but not be limited to: the tire storage arrangement; aisle space if necessary; clearance distances between tire piles and the building ceiling, unit heaters, duct furnaces and sprinkler deflectors; and access to fire fighting personnel and equipment; and

C) a copy of the tire storage plan shall be filed with the Agency within 60 days of the effective date of this Part and the plan requirements shall be implemented within 14 days of filing the tire storage plan with the Agency;

2) have and maintain a contingency plan which meets the requirements of Section 848.203; and

3) meet the recordkeeping and reporting requirements of Subpart C.

d) Buildings constructed after the effective date of these rules for the primary purpose of storing used or waste tires in excess of 10,000 shall comply with the NFPA 231D standard for storage of rubber tires incorporated by reference at Section 848.105.

Section 848.205 Pesticide Treatment

Owners or operators of tire storage sites or tire disposal sites treating used or waste tires with pesticides pursuant to Section 848.203 shall meet the following requirements:

a) Maintain a record of pesticide use at the site. Such a record shall include the following information for each application:

- 1) Date of pesticide application;
- 2) Number of used or waste tires treated;
- 3) Amount of pesticide applied; and
- 4) Type of pesticide used.

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b) Notify the Agency of pesticide use within 10 days of each application. The notification shall include the information listed in subsection (a).

c) Persons applying pesticides to used and waste tires must comply with the requirements of the Illinois Pesticide Act (Ill. Rev. Stat. 1989, ch. 5, par. 801 et seq.). Information is available from:

Illinois Department of Agriculture
Bureau of Plant & Apiary Protection
State Fairgrounds
P.O. Box 19281
Springfield, IL 62794-9281

SUBPART C: RECORDKEEPING AND REPORTING

Section 848.301

Applicability

The requirements of this Subpart shall apply to an owner or operator of a tire storage site or a tire disposal site who is required by the management standards of Subpart B to maintain records in accordance with this Subpart.

Section 848.302

Records

a) The owner and operator shall keep a record of used and waste tires at the site. The owner and operator shall keep the following records:

- 1) Daily Tire Record
- 2) Annual Tire Summary

b) Each Annual Tire Summary submitted to the Agency shall be in a form as prescribed by the Agency.

Section 848.303

Daily Tire Record

a) The owner or operator shall maintain the Daily Tire Record at the site; such record shall include the day of the week, the date, the Agency designated site number and the site name and address.

b) The following information relative to used and waste tires shall be recorded in the Daily Tire Record:

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- 1) The weight or volume of used or waste tires received at the site during the operating business day.
- 2) The weight or volume of used or waste tires transported from the site during the operating business day and the destination of the tires so transported.
- 3) The total number of used or waste tires remaining in storage at the conclusion of the operating business day determined in terms of the passenger tire equivalent (PTE) in accordance with subsection (c).
- 4) The weight or volume of used or waste tires burned or combusted during the operating business day.
- c) The number of tires shall be determined in terms of the passenger tire equivalent (PTE) by weight or by volume as follows:
 - 1) PTE based on weight:

$$\text{PTE} = W / \text{PTE weight factor}$$
 where,

$$W = \text{weight of whole or shredded tires (lb)}$$

$$\text{PTE weight factor} = 25 \text{ lb/PTE}$$
 - 2) PTE based on volume:

$$\text{PTE} = V / \text{PTE volume factor}$$
 where,

$$V = \text{volume of whole or shredded tires (ft}^3\text{)}$$

$$\text{PTE volume factors:}$$

$$\text{for shredded tires, } 1.25 \text{ ft}^3 / \text{PTE;}$$

$$\text{for whole tires, } 4.00 \text{ ft}^3 / \text{PTE.}$$
 - d) If both weight and volume of used or waste tires are monitored at a site, then the weight of the tires shall be used to estimate the PTE by weight in accordance with subsection (c)(1).

- e) The owner or operator may establish procedures different from those specified in subsection (c) for the purposes of estimating the number of tires as long as the number of tires are estimated in terms of passenger tire equivalent. Such methods shall be established based on the different types of used or waste tires including, but not limited to, light truck tires, heavy duty truck tires, and shredded tires and method of stacking.
- f) If the number of used or waste tires is estimated by employing a procedure established in accordance with subsection (e), then the owner or operator shall submit to the Agency such a procedure along with any supporting information such as tire weight and volume data, and method of stacking, within 30 days of the effective date of this Part for Agency approval.
- g) For the purposes of this Part, "passenger tire equivalent" (PTE) means an average sized passenger tire weighing 25 lb, and occupying a volume of 4.0 ft³ when whole or 1.25 ft³ when shredded.
- h) Entries on the Daily Tire Record as required by subsection (a) shall be made contemporaneously with the receipt or transport of each load, unless the owner or operator uses a different method of recording the required information which assures that required information can be entered on the Daily Tire Record by the end of each business day, in which case the information must be recorded in the Daily Tire Record by the end of each business day. Where an alternative method of contemporaneous recording is used, that record, in addition to the Daily Tire Record, must be maintained in accordance with the record retention provisions of Section 848.305.

Section 848.304

Annual Tire Summary

- a) The owner or operator shall maintain an Annual Tire Summary at the site; such record shall include the Agency designated site number, the site name and address and the calendar year for which the summary applies.
- b) The following information relative to used and waste tires shall be recorded in the Annual Tire Summary:

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- 1) The weight or volume of used or waste tires received at the site during the calendar year.
 - 2) The weight or volume of used or waste tires transported from the site during the calendar year.
 - 3) The total number of used or waste tires determined in terms of the passenger tire equivalent (PTE) remaining in storage at the conclusion of the calendar year.
 - 4) The weight or volume of used or waste tires combusted during the calendar year.
- c) The Annual Tire Summary shall be received by the Agency on or before January 31 of each year and shall cover the preceding calendar year.

Section 848.305

Retention of Records

Copies of all records required to be kept under this Subpart shall be retained by the owner and operator for three years and shall be made available at the site during the normal business hours of the operator for inspection and photocopying by the Agency.

Section 848.306

Certification

- a) All records, summaries or reports submitted to the Agency as required by this Subpart shall be signed by a person designated by the owner or operator as responsible for preparing and reviewing such documents as part of his or her duties in the regular course of business.
- b) Any person signing a document submitted under this Part shall make the following certification:

I certify that this document and all attachments were prepared under my direction or supervision. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties under Section 44 of the Environmental

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Protection Act including the possibility of fine and imprisonment for knowingly submitting false information.

SUBPART D: FINANCIAL ASSURANCE

Section 848.400

Scope and Applicability

- a) This Subpart applies to owners and operators of tire storage sites and tire disposal sites, except as otherwise provided in this Section.
- b) Unless exempted by subsection (c), owners and operators shall comply with this Subpart:

- 1) Prior to storing or disposing any used or waste tires, for sites where used or waste tires are first stored or disposed on or after January 1, 1992;
 - 2) By January 1, 1992, for sites where used or waste tires are disposed or stored prior to January 1, 1992.
- c) Owners and operators of tire storage sites and tire disposal sites are exempt from this Subpart with respect to the following types of sites:

- 1) Sites where the real estate of the site is owned by:
 - A) The United States or one of its agencies;
 - B) The State of Illinois or one of its agencies; or
 - C) A unit of local government.
- 2) Tire disposal sites with a waste disposal permit under Section 21 of the Act and 35 Ill. Adm. Code 807 or 811. If used or waste tires are stored at the site, then the storage activities, unless otherwise exempted, are subject to this Subpart.
- 3) Sites where less than 500 used or waste tires are stored at the site and less than 50 used or waste tires have been disposed at the site, as reported

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on the annual notice of activity under Section 55(d) of the Act.

- 4) Sites where, as reported in the annual notice of activity, less than 5000 used or waste tires are stored at the site and less than 50 used or waste tires have been disposed. Provided, however, that this exemption does not apply if the owner or operator has been issued, in any calendar year, pursuant to Section 55.5 of the Act, more than one written notice of violation of Section 55(a), (b) or (c) of the Act.

Section 848.401 Upgrading Financial Assurance

- a) The owner or operator shall maintain financial assurance equal to or greater than the current cost estimate calculated pursuant to Section 848.404 at all times, except as otherwise provided by subsection (b).
- b) The owner or operator shall increase the total amount of financial assurance so as to equal the current cost estimate within 90 days after any of the following occurrences:
 - 1) An increase in the current cost estimate;
 - 2) A decrease in the value of a trust fund;
 - 3) A determination by the Agency that an owner or operator no longer meets the financial test of Section 848.415(d); or,
 - 4) Notification by the owner or operator that the owner or operator intends to substitute alternative financial assurance, as specified in Section 848.406, for self-insurance.

Section 848.402 Release of Financial Institution

The Agency shall release a trustee, bank, surety or other financial institution when:

- a) An owner or operator substitutes alternative financial assurance such that the total financial assurance for the site is equal to or greater than the current cost

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estimate, without counting the amounts to be released; or

- b) The Agency releases the owner or operator from the requirements of this Subpart following completion of removal.

Section 848.403 Application of Proceeds and Appeal

- a) The Agency may sue in any court of competent jurisdiction to enforce its rights under financial instruments. The filing of an enforcement action before the Board is not a condition precedent to such an Agency action, except when this Subpart or the terms of the instrument provide otherwise.
- b) As provided in Titles VIII and IX of the Act and 35 Ill. Adm. Code 103 and 104, the Board may order that an owner or operator modify a removal plan or order that proceeds from financial assurance be applied to the execution of a removal plan.
- c) The following Agency actions may be appealed to the Board as a permit denial pursuant to 35 Ill. Adm. Code 105:
 - 1) A refusal to accept financial assurance tendered by the owner or operator;
 - 2) A refusal to release the owner or operator from the requirement to maintain financial assurance;
 - 3) A refusal to release excess funds from a trust;
 - 5) A refusal to approve a reduction in the amount of a letter of credit;
 - 7) A determination that an owner or operator no longer meets the financial test.

Section 848.404 Removal Cost Estimate

- a) The owner or operator shall submit to the Agency a written estimate of the cost of removing all used and waste tires from the site.

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- 1) The owner or operator shall submit the cost estimate with the annual notice of activity pursuant to Section 55(d) of the Act.
- 2) The cost estimate is due on January 1 of each year, commencing January 1, 1992.
- b) The owner or operator shall revise the cost estimate whenever a change in the removal plan increases the cost estimate.
- c) The cost estimate equals the larger of the following:
 - 1) The cost of removing all used and waste tires accumulated at the site; or
 - 2) The cost of removing the maximum number of used and waste tires which the owner or operator anticipates will be accumulated at the site at any time.
- d) The owner or operator shall base the cost estimate on either:
 - 1) Costs to the Agency under a contract to perform tire removal actions in the area in which the site is located; or
 - 2) Projected costs, assuming that the Agency will contract with a third party to implement the removal plan. A third party is a person who is neither a parent nor a subsidiary of the owner or operator.
- e) The cost estimate must, at a minimum, include all costs for all activities necessary to remove all used and waste tires in accordance with all requirements of this Part.
- f) Once the owner or operator has completed an activity, the owner or operator may revise the cost estimate indicating that the activity has been completed, and zeroing that element of the cost estimate.

Section 848.406 Mechanisms for Financial Assurance

The owner or operator may utilize any of the following mechanisms to provide financial assurance for removal of used and waste tires:

- a) A trust fund (Section 848.410);
- b) A letter of credit (Section 848.413);
- c) Self-insurance (Section 848.415).

Section 848.407 Use of Multiple Financial Mechanisms

An owner or operator may satisfy the requirements of this Subpart by establishing more than one financial mechanism per site. These mechanisms are limited to trust funds and letters of credit. The mechanisms must be as specified in 35 Ill. Adm. Code 848.410 and 848.413, respectively, except that it is the combination of mechanisms, rather than the single mechanism, which must provide financial assurance for an amount at least equal to the current cost estimate. The owner or operator may use any or all of the mechanisms to provide for removal.

Section 848.408 Use of a Financial Mechanism for Multiple Sites

An owner or operator may use a financial assurance mechanism specified in this Subpart to meet the requirements of this Subpart for more than one site. Evidence of financial assurance submitted to the Agency must include a list showing, for each site, the name, address and the amount of funds assured by the mechanism. The amount of funds available through the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for each site. The amount of funds available to the Agency must be sufficient to remove used and waste tires from all of the owner or operator's sites. In directing funds available through a single mechanism for the removal of any single site covered by that mechanism, the Agency shall direct only that amount of funds designated for that site, unless the owner or operator agrees to the use of additional funds available under that mechanism.

Section 848.410 Trust Fund

- a) An owner or operator may satisfy the requirements of this Subpart by establishing a trust fund which conforms to the requirements of this Section and submitting an original signed duplicate of the trust agreement to the Agency.

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b) The trustee shall be an entity which has the authority to act as a trustee and:

- 1) Whose trust operations are examined by the Illinois Commissioner of Banks and Trust Companies pursuant to the Illinois Banking Act (Ill. Rev. Stat. 1989, ch. 17, pars. 301 et seq.); or
- 2) Who complies with the Corporate Fiduciary Act (Ill. Rev. Stat. 1989, ch. 17, pars. 1551-1 et seq.).

c) The trust agreement must be on the forms specified in Appendix A, Illustration A, and the trust agreement must be accompanied by a formal certification of acknowledgment, on the form specified in Appendix A, Illustration B.

d) Payments into the trust:

- 1) The owner or operator shall make a payment into the trust fund each year during the pay-in period.
- 2) The pay-in period is five years. The pay-in period commences at one of the following times, whichever is later:
 - A) On the date the site first receives used or waste tires; or
 - B) On January 1, 1992.

3) Annual payments are determined by the following formula:

$$\text{Annual payment} = (\text{CE}-\text{CV})/\text{Y}$$

where:

CE = Current cost estimate

CV = Current value of the trust fund

Y = Number of years remaining in the pay in period.

4) The owner or operator shall make the first annual payment prior to beginning of the pay-in period.

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The owner or operator shall also, prior to the beginning of the pay-in period, submit to the Agency a receipt from the trustee for the first annual payment.

- 5) Subsequent annual payments must be made no later than 30 days after each anniversary of the first payment.
- 6) The owner or operator may accelerate payments into the trust fund, or may deposit the full amount of the current cost estimate at the time the fund is established.
- 7) The owner or operator shall maintain the value of the fund at no less than the value the fund would have if annual payments were made as specified in subsection (d) (3).
- 8) If the owner or operator establishes a trust fund after having used one or more alternative mechanisms, the first payment must be in at least the amount the fund would contain if the trust fund were established initially and payments made as provided in subsection (d) (3).
 - e) The trustee shall evaluate the trust fund annually, as of the day the trust was created or on such earlier date as may be provided in the agreement. The trustee shall notify the owner or operator and the Agency of the value within 30 days after the evaluation date.
 - f) Release of excess funds:
 - 1) If the value of the financial assurance is greater than the total amount of the current cost estimate, the owner or operator may submit a written request to the Agency for a release of the amount in excess of the current cost estimate.
 - 2) Within 60 days after receiving a request from the owner or operator for a release of funds, the Agency shall instruct the trustee to release to the owner or operator such funds as the Agency specifies in writing to be in excess of the current cost estimate.
 - g) Reimbursement for removal expenses:

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- 1) After initiating removal, an owner or operator, or any other person authorized to perform removal, may request reimbursement for removal expenditures, by submitting itemized bills to the Agency.
- 2) Within 60 days after receiving the itemized bills for removal activities, the Agency shall determine whether the expenditures are in accordance with the removal plan. The Agency shall instruct the trustee to make reimbursement in such amounts as the Agency specifies in writing as expenditures in accordance with the removal plan.
- 3) If the Agency determines, based on such information as is available to it, that the cost of removal will be greater than the value of the trust fund, it shall withhold reimbursement of such amounts as it determines are necessary to preserve the trust corpus in order to accomplish removal until it determines that the owner or operator is no longer required to maintain financial assurance for removal. In the event the fund is inadequate to pay all claims, the Agency shall pay claims according to the following priorities:
 - A) Persons with whom the Agency has contracted to perform removal activities (first priority);
 - B) Persons who have completed removal authorized by the Agency (second priority);
 - C) Persons who have completed work which furthered the removal (third priority);
 - D) The owner or operator and related business entities (last priority).

Section 848.413

Letter of Credit

- a) An owner or operator may satisfy the requirements of this Subpart by obtaining an irrevocable standby letter of credit which conforms to the requirements of this Section and submitting the letter to the Agency.

- b) The issuing institution shall be an entity which has the authority to issue letters of credit and:
 - 1) Whose letter-of-credit operations are regulated by the Illinois Commissioner of Banks and Trust Companies; or,
 - 2) Whose deposits are insured by the Federal Deposit Insurance Corporation.
- c) Forms:
 - 1) The letter of credit must be on the forms specified in Appendix A, Illustration C.
 - 2) The letter of credit must be accompanied by a letter from the owner or operator, referring to the letter of credit by number, issuing institution and date, and providing the following information: name and address of the site and the amount of funds assured for removal from the site by the letter of credit.
- d) An owner or operator who uses a letter of credit must also establish a standby trust fund. Any amounts drawn by the Agency pursuant to the letter of credit will be deposited in the standby trust fund. The standby trust fund must meet the requirements of a trust fund specified in Section 848.410, except that:
 - 1) The owner or operator shall submit a signed, duplicate original of the trust agreement to the Agency with the letter of credit; and
 - 2) Unless the standby trust is funded, the following are not required:
 - A) Payments into the trust fund.
 - B) Updating of Schedule A of the trust agreement to show the current cost estimates.
 - C) Annual valuations as required by the trust agreement.
 - D) Notices of nonpayment as required by the trust agreement.

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- e) Conditions on which the Agency may draw on the letter of credit:
- 1) The Agency shall draw on the letter of credit if the owner or operator fails to perform removal in accordance with the removal plan.
 - 2) The Agency shall draw on the letter of credit when the owner or operator:
 - A) Abandons the site;
 - B) Is adjudicated bankrupt;
 - C) Fails to initiate removal when ordered to do so by the Board pursuant to Title VII of the Act, or when ordered to do so by a court of competent jurisdiction;
 - D) Notifies the Agency that it has initiated removal, or initiates removal, but fails to provide removal in accordance with the removal plan; or
 - E) Fails to provide additional or substitute financial assurance when required to do so under this Subpart.

f) Amount:

- 1) The letter of credit must be issued in an amount at least equal to the current cost estimate.
- 2) The Agency shall approve a reduction in the amount whenever the current cost estimate decreases.

g) Term:

- 1) The letter of credit must be irrevocable and issued for a period of at least one year.
- 2) The letter of credit must provide that the expiration date will be automatically extended for a period of at least one year, unless, at least 120 days before the current expiration date, the issuing institution notifies both the owner and operator and the Agency, by certified mail, of a decision not to extend the expiration date. Under

the terms of the letter of credit, the 120 days will begin on the date when both the owner or operator and the Agency have received the notice, as evidenced by the return receipts.

- h) Cure of default and refunds:
- 1) The Agency shall release the financial institution if, after the Agency is allowed to draw on the letter of credit, the owner or operator or another person provides financial assurance for removal from the site, unless the Agency determines that a removal plan or the amount of substituted financial assurance is inadequate to provide removal as required by this Part.
 - 2) After removal has been completed in accordance with the removal plans and the requirements of this Part, the Agency shall refund any unspent money which was paid to the Agency by the financial institution.

Section 848.415 Self-Insurance for Non-commercial Sites

- a) Definitions. The following definitions are intended to assist in the understanding of this Part and are not intended to limit the meanings of terms in any way that conflicts with generally accepted accounting principles:

"Assets" means all existing and all probable future economic benefits obtained or controlled by a particular entity.

"Current assets" means cash or other assets or resources commonly identified as those which are reasonably expected to be realized in cash or sold or consumed during the normal operating cycle of the business.

"Current liabilities" means obligations whose liquidation is reasonably expected to require the use of existing resources properly classifiable as current assets or the creation of other current liabilities.

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"Generally accepted accounting principles" means "Accounting Standards", incorporated by reference in Section 848.105.

"Generally accepted auditing standards" means Auditing Standards--Current Text, incorporated by reference at 848.105.

"Independently audited" refers to an audit performed by an independent certified public accountant in accordance with generally accepted auditing standards.

"Liabilities" means probable future sacrifices of economic benefits arising from present obligations to transfer assets or provide services to other entities in the future as a result of past transactions or events.

"Net working capital" means current assets minus current liabilities.

"Net worth" means total assets minus total liabilities and is equivalent to owner's equity.

"Tangible net worth" means tangible assets less liabilities; tangible assets do not include intangibles such as goodwill and rights to patents or royalties.

b) Information to be Filed

An owner or operator may satisfy the financial assurance requirements of this Part by providing the following:

- 1) Bond without surety promising to pay the cost estimate (subsection (c)).
- 2) Proof that the owner or operator meets the financial test (subsection (d)).
- c) Bond Without Surety. An owner or operator utilizing self-insurance shall provide a bond without surety on the forms specified in Appendix A, Illustration D. The owner or operator shall promise to pay the current cost estimate to the Agency unless the owner or operator provides removal in accordance with the removal plan.

d) Financial Test

- 1) To pass the financial test, the owner or operator shall meet the criteria of either subsection (d)(1)(A) or (d)(1)(B):

A) The owner or operator shall have:

- i) Two of the following three ratios: a ratio of total liabilities to net worth of less than 2.0; a ratio of the sum of net income plus depreciation, depletion and amortization to total liabilities of greater than 0.1; or a ratio of current assets to current liabilities of greater than 1.5; and
- ii) Net working capital and tangible net worth each at least six times the current cost estimate; and
- iii) Tangible net worth of at least \$10 million; and
- iv) Assets in the United States amounting to at least 90 percent of the owner or operator's total assets and at least six times the current cost estimate.

B) The owner or operator shall have:

- i) A current rating of AAA, AA, A or BBB for its most recent bond issuance as issued by Standard and Poor, or a rating of Aaa, Aa, A or Baa, as issued by Moody; and
- ii) Tangible net worth at least six times the current cost estimate; and
- iii) Tangible net worth of at least \$10 million; and
- iv) Assets located in the United States amounting to at least 90 percent of its total assets or at least six times the current cost estimate.

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- 2) To demonstrate that it meets this test, the owner or operator shall submit the following items to the Agency:
 - A) A letter signed by the owner or operator's chief financial officer and worded as specified in Appendix A, Illustration F; and
 - B) A copy of the independent certified public accountant's report on examination of the owner or operator's financial statements for the latest completed fiscal year; and
 - C) A special report from the owner or operator's independent certified public accountant to the owner or operator stating that:
 - i) The accountant has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and
 - ii) In connection with that procedure, no matters came to the accountant's attention which caused the accountant to believe that the specified data should be adjusted.

e) Updated Information.

- 1) After the initial submission of items specified in subsection (d), the owner or operator shall send updated information to the Agency within 90 days after the close of each succeeding fiscal year.
- 2) If the owner or operator no longer meets the requirements of subsection (d), the owner or operator shall send notice to the Agency of intent to establish alternative financial assurance. The notice must be sent by certified mail within 90 days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the requirements.

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- f) Qualified Opinions. If the opinion required by subsections (d)(2)(B) and (d)(2)(C) includes an adverse opinion or a disclaimer of opinion, the Agency shall disallow the use of self-insurance. If the opinion includes other qualifications, the Agency shall disallow the use of self-insurance if:
 - 1) The qualifications relate to the numbers which are used in the financial test; and,
 - 2) In light of the qualifications, the owner or operator has failed to demonstrate that it meets the financial test.
- g) Parent Corporation. An owner or operator may satisfy the financial assurance requirements of this Part by demonstrating that a corporation which owns an interest in the owner or operator meets the financial test. The owner or operator shall also provide a bond with the parent as surety (Appendix A, Illustration E).

SUBPART E: TIRE REMOVAL AGREEMENTS

Section 848.501

Applicability

- a) By January 1, 1992, the owner or operator of a tire disposal site shall obtain written approval from the Agency of a tire removal agreement submitted pursuant to this Subpart unless:
 - 1) THE OWNER OR OPERATOR HAS ENTERED INTO A WRITTEN AGREEMENT TO PARTICIPATE IN A CONSENSUAL REMOVAL ACTION UNDER SECTION 55.3(C) OF THE ACT (Section 55.4 of the Act); or
 - 2) The owner or operator has received a permit from the Agency pursuant to the requirements of Subtitle G: Waste Disposal for the disposal of solid waste at landfills; or
 - 3) The owner or operator has submitted a complete written proposal pursuant to Section 848.503 for a tire removal agreement to the Agency in accordance with this Subpart by July 1, 1991, the owner or operator has submitted all information required or necessary to process the submission, and the

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Agency has not made a determination with respect to the submittal.

- b) The requirements of subsection (a) shall not apply if the owner or operator has removed all used and waste tires from the tire disposal site prior to January 1, 1992. An owner or operator may obtain approval of a tire removal agreement for a specific area within a facility; however, the remainder of the facility must be operated under a permit issued by the Agency under 35 Ill. Adm. Code: Subtitle G: Waste Disposal for the disposal of solid waste in landfills or be subject to a consensual removal action under Section 55.3(c) of the Act.

- c) For tire disposal sites at which used or waste tires are first disposed after January 1, 1992, prior to disposing any used or waste tires the owner or operator shall obtain a permit from the Agency pursuant to the requirements of 35 Ill. Adm. Code: Subtitle G: Waste Disposal for the disposal of solid wastes at landfills.

Section 848.502

Removal Performance Standard

THE OWNER OR OPERATOR OF A TIRE DISPOSAL SITE REQUIRED TO FILE AND RECEIVE APPROVAL OF A TIRE REMOVAL AGREEMENT UNDER this Subpart E SHALL REMOVE USED OR WASTE TIRES FROM THE SITE IN A MANNER THAT:

- a) MINIMIZES THE NEED FOR FURTHER MAINTENANCE;
b) REMOVES ALL USED AND WASTE TIRES AND ANY RESIDUES THEREFROM; AND
c) PROTECTS HUMAN HEALTH DURING THE REMOVAL AND POST REMOVAL PERIODS. (Section 55.4 of the Act)

Section 848.503

Contents of Proposed Tire Removal Agreements

- a) A proposed TIRE REMOVAL AGREEMENT SUBMITTED TO THE AGENCY for approval under this Subpart E SHALL INCLUDE THE FOLLOWING:

- 1) A COMPLETE INVENTORY OF THE TIRES LOCATED ON THE SITE.

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- 2) A DESCRIPTION OF HOW THE REMOVAL WILL BE CONDUCTED IN ACCORDANCE WITH Section 848.502.

- 3) A DESCRIPTION OF THE METHODS TO BE USED DURING REMOVAL INCLUDING, BUT NOT LIMITED TO, THE METHODS FOR REMOVING, TRANSPORTING, PROCESSING, STORING OR DISPOSING OF TIRES AND RESIDUES, AND THE OFFSITE FACILITIES TO BE USED.

- 4) A DETAILED DESCRIPTION OF OTHER ACTIVITIES NECESSARY DURING THE REMOVAL PERIOD TO ENSURE THAT THE REQUIREMENTS OF Section 848.502 ARE MET.

- 5) A SCHEDULE OF COMPLETING THE REMOVAL OF TIRES FROM THE SITE, AS REQUIRED IN Section 848.504. (Section 55.4 of the Act)

- b) The owner or operator may propose amendment of the tire removal agreement at any time prior to notification of the completion of partial or final removal of tires from the facility. To request a change in an approved tire removal permit, an owner or operator shall submit a written request to the Agency. The written request must include a copy of the amended tire removal agreement for approval by the Agency.

- c) Nothing in this Section shall preclude the owner or operator from removing used or waste tires in accordance with the approved partial or final tire removal agreement before certification of completion of partial or final removal.

Section 848.504

Time Allowed for Tire Removal

- a) EACH APPROVED tire removal AGREEMENT SHALL INCLUDE A SCHEDULE BY WHICH THE OWNER OR OPERATOR MUST COMPLETE THE REMOVAL ACTIVITIES. THE TOTAL TIME ALLOWED SHALL NOT EXCEED THE FOLLOWING:

- 1) ONE YEAR IF THE SITE CONTAINS 1,000 TIRES OR LESS;
2) TWO YEARS IF THE SITE CONTAINS MORE THAN 1,000 TIRES BUT LESS THAN 10,000 TIRES;
3) FIVE YEARS IF THE SITE CONTAINS 10,000 OR MORE TIRES.

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- b) THE OWNER OR OPERATOR MAY APPLY FOR AN EXTENSION OF TIME, NO LATER THAN 90 DAYS BEFORE THE END OF THE TIME PERIOD SPECIFIED IN THE AGREEMENT. THE AGENCY SHALL NOT GRANT SUCH AN EXTENSION UNLESS IT DETERMINES THAT THE OWNER OR OPERATOR HAS PROCEEDED TO CARRY OUT THE AGREEMENT WITH ALL DUE DILIGENCE. THE REQUESTED EXTENSION OF TIME MAY NOT EXCEED 3 YEARS, AND THE AGENCY MAY APPROVE THE REQUEST AS SUBMITTED OR MAY APPROVE A LESSER AMOUNT OF TIME IF THE REMOVAL activities can be completed within such lesser amount of time. (Section 55.4 of the Act)

Section 848.505 Removal Plan

- a) The removal plan is the approved tire removal agreement for the site, if one has been approved. Otherwise, the removal plan is the proposed tire removal agreement.
- b) An owner or operator who has provided financial assurance based on a proposed agreement shall provide substitute financial assurance based on the approved plan within 90 days after the Agency approves a tire removal agreement. This may consist of substitute financial assurance, or a letter from the financial institution acknowledging receipt of the approved plan and indicating no objection.

Section 848.506 Initiation of Tire Removal

- a) Any owner or operator who is required to obtain financial assurance under this Subpart shall submit a proposed tire removal agreement to the Agency that satisfies Sections 848.502 - 848.505 within 30 days after the date on which any tire disposal site or tire storage site receives the known final volume of used or waste tires or, if there is a reasonable possibility that the tire disposal site or tire storage site will receive additional used or waste tires, no later than one year after the date on which the site received the most recent volume of used or waste tires. If the owner or operator of a tire storage site or tire disposal site demonstrates to the Agency that the site has the capacity to receive additional used or waste tires and that the owner or operator has taken and will continue to take all steps to prevent threats to human health and the environment, the Agency shall approve an extension to this one-year limit.

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- b) The owner or operator shall begin removal of used and waste tires in accordance with the approved tire removal agreement within 30 days after written Agency approval of the tire removal agreement unless the tire removal agreement specifies otherwise.
- c) The Agency shall have authority to approve a later date for initiation of tire removal in a tire removal agreement if:
- 1) the owner or operator demonstrates to the Agency that a binding contractual relationship exists under which the owner or operator will remove all used and waste tires from the site within two years; or
 - 2) other factors relative to operation of the site necessitate a later date for initiating removal of used and waste tires.

Section 848.507

Certification of Removal Completion

WITHIN 60 DAYS AFTER THE COMPLETION OF REMOVAL ACTIVITIES UNDER AN APPROVED tire removal agreement under this Subpart E, THE OWNER OR OPERATOR SHALL SUBMIT TO THE AGENCY A CERTIFICATION THAT THE SITE OR THE AFFECTED PORTION OF THE SITE SUBJECT TO A TIRE removal agreement HAS BEEN CLEARED OF TIRES IN ACCORDANCE WITH THE APPROVED tire removal agreement. (Section 55.4 of the Act)

Section 848.508

Agency Approval

FOR A SITE AT WHICH THE OWNER OR OPERATOR IS PROPOSING TO PROCEED WITH REMOVAL under a tire removal agreement, rather than obtaining a permit under 35 Ill. Adm. Code: Subtitle G: Waste Disposal for the disposal of solid waste in a landfill, THE AGENCY SHALL APPROVE, MODIFY OR DISAPPROVE A PROPOSED AGREEMENT WITHIN 90 DAYS OF RECEIVING IT. IF THE AGENCY DOES NOT APPROVE THE AGREEMENT, THE AGENCY SHALL PROVIDE THE OWNER OR OPERATOR WITH A WRITTEN STATEMENT OF REASONS FOR THE REFUSAL, AND THE OWNER OR OPERATOR SHALL MODIFY THE AGREEMENT OR SUBMIT A NEW AGREEMENT FOR APPROVAL WITHIN 30 DAYS AFTER RECEIVING THE STATEMENT. THE AGENCY SHALL APPROVE OR MODIFY THE SECOND PROPOSED AGREEMENT WITHIN 60 DAYS. IF THE AGENCY MODIFIES THE SECOND PROPOSED AGREEMENT, THE AGREEMENT AS MODIFIED SHALL BECOME THE APPROVED AGREEMENT. (Section 55.4 of the Act)

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Section 848.509 Board Review

MODIFICATION OF OR REFUSAL TO MODIFY A proposed tire removal AGREEMENT SUBMITTED BY AN OWNER OR OPERATOR PROPOSING TO PROCEED WITH REMOVAL under a tire removal agreement IS A PERMIT DENIAL FOR PURPOSES OF appeal pursuant to 35 Ill. Adm. Code 105. (Section 55.4 of the Act)

SUBPART F: TIRE TRANSPORTATION REQUIREMENTS

Section 848.601 Tire Transportation Prohibitions

- a) Except as provided in subsection (c), no person shall transport more than 20 used or waste tires in a vehicle unless the following requirements are met.
 - 1) The owner or operator has registered the vehicle with the Agency in accordance with this Subpart, received approval of such registration from the Agency, and such registration is current, valid and in effect.
 - 2) The owner or operator displays a placard on the vehicle, issued by the Agency following registration, in accordance with the requirements of this Subpart.
 - b) No person shall provide, deliver or transport used or waste tires to a tire transporter for transport unless the transporter's vehicle displays a placard issued by the Agency under this Subpart identifying the transporter as a registered tire hauler.

Section 848.602

Tire Transportation Registrations

- a) Tire transportation registrations shall be made on application forms prescribed by the Agency which as a minimum shall require the following information:
 - 1) Name, address, telephone number and location of the vehicle owner(s) and operator(s).
 - 2) A description of the number and types of vehicles to be used.

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- 3) An agreement by the vehicle owner(s) and operator(s) that:

- A) Tire loading, transportation and unloading will be conducted in compliance with all applicable state and federal laws and regulations.
- B) No tires shall be transported with other wastes on one vehicle if such could result in a hazardous combination likely to cause explosion, fire, or release of a dangerous or toxic gas, or in violation of any applicable state or federal law and regulation.
- C) The equipment and procedures to be used shall be proper for the tire transportation to be safe for the haulers, handlers, and others, and meet the requirements of all other applicable state and federal laws and regulations.

- b) All tire transporter registrations shall be signed by the owner(s) and operator(s) of the vehicle; or, in the name of the owner and operator, by the owner's and operator's duly authorized agent when accompanied by evidence of authority to sign the application.

Section 848.603

Agency Approval of Registrations

- a) Tire transporter registration applications shall be deemed to be filed on the date of initial receipt by the Agency of a properly completed application on the form prescribed.
- b) If the Agency fails to take final action approving or denying approval of this registration within 90 days from the filing of the completed application, the applicant may deem the registration approval granted for a period of one calendar year commencing on the 91st day after the application was filed.
- c) The Agency shall be deemed to have taken final action on the date that the notice of final action is mailed.
- d) The Agency shall require the application to be complete and consistent with the provisions of the Act and Board regulations and may undertake such investigations and

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request the applicant to furnish such proof as it deems necessary to verify the information and statements made in the application. If the application is complete and the approval thereof will not cause a violation of the Act or Board regulations, the Agency shall approve the registration.

e) In approving tire transporter registrations hereunder, the Agency may impose such conditions as may be necessary to accomplish the purposes of the Act and Board regulations.

f) The applicant may deem any conditions imposed by the Agency as a denial of approval of the registration for purposes of review pursuant to Section 40 of the Act.

g) A tire transporter registration approved hereunder is automatically modified to include any relevant change in the Act or Board regulations. The Agency shall revise any tire transporter registration issued by the Agency under this Part to make the registration compatible with any such relevant changes and so notify the registrant. Failure of the Agency to issue a revised registration shall not excuse the registrant from compliance with any such change.

h) No tire transporter registration is transferable from one person to another. A tire transporter registration is personal to the person(s) named in the tire transporter registration.

i) Violation of any conditions or failure to comply with any provisions of the Act or with any Board regulation shall be grounds for sanctions as provided in the Act, including revocation of the registration as herein provided and the denial of applications for renewal.

Section 848.604

Registration No Defense

The existence of an approved tire transporter registration under this Part shall not provide the transporter with a defense to a violation of the Act or Board regulations, except for hauling used or waste tires without an approved tire transporter registration.

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Section 848.605 Duration and Renewal

- a) All registrations approved hereunder shall be effective for a period of two years from the date of approval and are renewable, except as provided in Section 848.603(i).
- b) Applications for registration renewal shall be made 90 days prior to the expiration date of the registration on the forms prescribed by the Agency.

Section 848.606

Vehicle Placarding

- a) Upon approval of a registration as a tire transporter, the owner or operator of any vehicle registered to transport used or waste tires shall place a placard on opposite sides of the vehicles which displays a number issued by the Agency following the words "Registered Tire Transporter: (number)."
- b) Registered tire transporter numbers and letters shall be removable only by destruction. Directly adjacent to the words and number, the vehicle owner and operator shall display a seal furnished by the Agency which shall designate the date on which the registration expires.

Section 848. Appendix A Financial Assurance Forms
Illustration A Trust Agreement
TRUST AGREEMENT

Trust Fund Number _____
Trust Agreement, the "Agreement," entered into as of the _____ day of _____, by and between _____, the "Grantor," and _____, the "Trustee."

Whereas, the Illinois Pollution Control Board (IPCB) has established certain regulations applicable to the Grantor, requiring that an owner or operator of a used or waste tire storage or disposal site provide assurance that funds will be available when needed for removal of used and waste tires from the site.

Whereas, the Grantor has elected to establish a trust to provide all or part of such financial assurance for the sites identified in this Agreement, and/or to serve as a standby trust fund.

Whereas, the Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this Agreement, and the Trustee is willing to act as trustee.

Whereas, Trustee is an entity which has authority to act as a trustee and whose trust operations are regulated by the Illinois Commissioner of Banks & Trust Companies or who complies with the Corporate Fiduciary Act (Ill. Rev. Stat. 1989, ch. 17, par. 1551-1 et seq.). (Line through any condition which does not apply.)

Now, Therefore, the Grantor and the Trustee agree as follows:

Section 1. Definitions. As used in this Agreement:

- a) The term "Grantor" means the owner or operator who enters into this Agreement and any successors or assigns of the owner or operator.
- b) The term "Trustee" means the Trustee who enters into this Agreement and any successor Trustee.

Section 2. Identification of Sites and Cost Estimates. This Agreement pertains to the sites and cost estimates identified on attached Schedule A (on Schedule A, list the name and address and initial cost estimate of each site for which financial assurance is demonstrated by this Agreement).

Section 3. Establishment of Fund. The Grantor and the Trustee hereby establish a trust fund, the "Fund," for the benefit of the IEPA. The Grantor and the Trustee intend that no other third party have access to the Fund except as provided in this Agreement. The Fund is established initially as consisting of the property, which is acceptable to the Trustee, described in Schedule B attached to this Agreement. Such property and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits on the Fund, less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, in trust, as provided in this Agreement. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor.

Section 4. Payment for Removal. The Trustee shall make payments from the Fund as the IEPA shall direct, in writing, to provide for the payment of the costs of removal at the sites covered by this Agreement. The Trustee shall reimburse the Grantor or other persons as specified by the IEPA from the Fund for removal expenditures in such amounts as the IEPA shall direct in writing. In addition, the Trustee shall refund to the Grantor such amounts as the IEPA specifies in writing. Upon refund, such funds shall no longer constitute part of the Fund.

Section 5. Payments Comprising the Fund. Payments made to the Trustee for the Fund shall consist of cash or securities acceptable to the Trustee.

Section 6. Trust Management. The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the Grantor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this Section. In investing, reinvesting, exchanging, selling and managing the Fund, the Trustee shall discharge his duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence and diligence under the circumstances then prevailing which persons of

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prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

- a) Securities or other obligations of the Grantor, or any other owner or operator of the site, or any of their affiliates as defined in Section 80a-2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a)) shall not be acquired or held, unless they are securities or other obligations of the Federal government or the State of Illinois;
- b) The Trustee is authorized to invest the Fund in time or demand deposits of the Trustee, to the extent insured by the Federal Deposit Insurance Corporation.
- c) The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment. The Trustee is expressly authorized in its discretion:

- a) To transfer from time to time any or all of the assets of the Fund to any common, commingled or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and
- b) To purchase shares in any investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) including one which may be created, managed, underwritten or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares in its discretion.

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretion conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

- a) To sell, exchange, convey, transfer or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expedience of any such sale or other disposition;

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- b) To make, execute, acknowledge and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers granted in this agreement;
- c) To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve Bank, but the books and records of the Trustee shall at all times show that all such securities are part of the Fund.
- d) To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by the Federal Deposit Insurance Corporation; and
- e) To compromise or otherwise adjust all claims in favor of or against the Fund.

Section 9. Taxes and Expenses. All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Fund shall be paid from the Fund. All other expenses incurred by the Trustee, to the extent not paid directly by the Grantor, and all other proper charges and disbursements of the Trustee shall be paid from the Fund.

Section 10. Annual Valuation. The Trustee shall annually furnish to the Grantor and to the IEPA a statement confirming the value of the Trust. The evaluation day shall be each year on the day of . Any securities in the Fund shall be valued at market value as of the evaluation day. The Trustee shall mail the evaluation statement to the Grantor and the IEPA within 30 days after the evaluation day. The failure of the Grantor to object in writing to the Trustee within 90 days after the statement has been furnished to the Grantor and the IEPA shall constitute a conclusively binding assent by the

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Grantor, barring the Grantor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statement.

Section 11. Advice of Counsel. The Trustee may from time to time consult with counsel, who may be counsel to the Grantor, with respect to any question arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 12. Trustee Compensation. The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

Section 13. Successor Trustee. The Trustee may resign or the Grantor may replace the Trustee, but such resignation or replacement shall not be effective until the Grantor has appointed a successor trustee and the successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer and pay over to the successor trustee the funds and properties then constituting the Fund. If for any reason the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Grantor, the IEPA and the present Trustee by certified mail ten days before such change becomes effective. Any expenses incurred by the Trustee as a result of any of the acts contemplated by this Section shall be paid as provided in Section 9.

Section 14. Instructions to the Trustee. All orders, requests and instructions by the Grantor to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A or such other designees as the Grantor may designate by amendment to Exhibit A. The Trustee shall be fully protected in acting without inquiry in accordance with the Grantor's orders, requests and instructions. All orders, requests and instructions by the IEPA to the Trustee shall be in writing, signed by the IEPA Director or his designees, and the Trustee shall act and shall be fully protected in acting in accordance with such orders, requests and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of

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the authority of any person to act on behalf of the Grantor or IEPA hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests and instructions from the Grantor and/or IEPA, except as provided in this agreement.

Section 15. Notice of Nonpayment. The Trustee shall notify the Grantor and the IEPA, by certified mail within ten days following the expiration of the 30-day period after the anniversary of the establishment of the Trust, if no payment is received from the Grantor during that period. After the pay-in period is completed, the Trustee shall not be required to send a notice of nonpayment.

Section 16. Amendment of Agreement. This Agreement may be amended by an instrument in writing executed by the Grantor, the Trustee and the IEPA Director, or by the Trustee and the IEPA Director if the Grantor ceases to exist.

Section 17. Irrevocability and Termination. Subject to the right of the parties to amend this Agreement as provided in Section 16, this Trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee and the IEPA Director, or by the Trustee and the IEPA, if the Grantor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Grantor.

Section 18. Immunity and Indemnification. The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this Trust, or in carrying out any directions by the Grantor or the IEPA Director issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the Grantor fails to provide such defense.

Section 19. Choice of Law. This Agreement shall be administered, construed and enforced according to the laws of the State of Illinois.

Section 20. Interpretation. As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

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In Witness Whereof the parties have caused this Agreement to be executed by their respective officers duly authorized and their corporate seals to be hereunto affixed and attested as of the date first above written.

Attest: Signature of _____
Grantor _____
Typed Name _____
Title _____

Seal
Attest: Signature of _____
Trustee _____
Typed Name _____
Title _____

ILLINOIS REGISTER
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Section 848. Appendix A Financial Assurance Forms
Illustration B Certificate of Acknowledgment
CERTIFICATE OF ACKNOWLEDGMENT

State of _____) SS
County of _____)

On this _____ day of _____, _____ (owner or operator) to me known, who, being by me duly sworn, did depose and say that she/he resides at _____ (address), that she/he is _____

_____ (title) of _____ (corporation), the corporation described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/his name thereto by like order.

My Commission Expires _____ Notary Public

Section 848. Appendix A Financial Assurance Forms
Illustration C Irrevocable Standby Letter of Credit

IRREVOCABLE STANDBY LETTER OF CREDIT

Director
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

Dear Sir or Madam:

We have authority to issue letters of credit. Our letter-of-credit operations are regulated by the Illinois Commissioner of

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Banks and Trusts or our deposits are insured by the Federal Deposit Insurance Corporation. (Omit language which does not apply)

We hereby establish our Irrevocable Standby Letter of Credit No. _____ in your favor, at the request and for the account of _____ up to the aggregate amount of _____ U. S. dollars (\$ _____), available upon presentation of _____

1. your sight draft, bearing reference to this letter of credit No. _____; and
2. your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, par. 1001 et seq.) and 35 Ill. Adm. Code 848.413(e)."

This letter of credit is effective as of _____ and will expire on _____; but such expiration date will be automatically extended for a period of _____ on _____ and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and _____ by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit will be available upon presentation of your sight draft for 120 days after the date of receipt by both you and _____ as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund in accordance with your instructions.

This letter of credit is governed by the Uniform Commercial Code (Ill. Rev. Stat. 1989, ch. 26, pars. 1-101 et seq.).

Signature _____

Typed Name _____

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Title _____

Date _____

Name and address of issuing institution _____

This credit is subject to _____

Section 848. Appendix A Financial Assurance Forms
Illustration D Owner or Operator's Bond Without Surety

OWNER OR OPERATOR'S BOND WITHOUT SURETY

Date bond executed: _____

Effective date: _____

Owner or operator: _____

Owner or operator's address: _____

Site: _____

Site address: _____

Penal sum: \$ _____

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The owner or operator promises to pay the penal sum to the Illinois Environmental Protection Agency unless the Owner or operator provides removal in accordance with the removal plan for the site.

Owner or operator

Signature

Typed Name

Title

Date

Corporate seal

Section 848. Appendix A Financial Assurance Forms
Illustration E Owner or Operator's Bond With Parent Surety

OWNER OR OPERATOR'S BOND WITH PARENT SURETY

Date bond executed:

Effective Date:

Surety:

Surety's address:

Owner or operator:

Owner or operator's address:

Site:

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Site address:

Penal sum:
\$

The Owner or operator and Surety promise to pay the above penal sum to the Illinois Environmental Protection Agency ("IEPA") unless the Owner or operator provides removal in accordance with the removal plan for the site. To the payment of this obligation the Owner or operator and Surety jointly and severally bind themselves, their heirs, executors, administrators, successors and assigns.

Whereas the Owner or operator is required under 35 Ill. Adm. Code 848. Subpart D to provide financial assurance for removal; and

Whereas the Owner or operator and Surety agree that this bond shall be governed by the laws of the State of Illinois; and

Whereas the Surety is a corporation which owns an interest in the Owner or operator;

The Surety shall pay the penal sum to the IEPA if, during the term of the bond, the Owner or operator fails to provide removal for any site in accordance with the removal plan for that site as guaranteed by this bond. The Owner or operator fails to so provide when the Owner or operator:

- a) Abandons the site;
- b) Is adjudicated bankrupt;
- c) Fails to initiate removal when ordered to do so by the Board or a court of competent jurisdiction; or
- d) Notifies the Agency that it has initiated removal, or initiates removal, but fails to remove used and waste tires in accordance with the removal plan.
- e) Fails to provide additional or substitute financial assurance when required to do so under this Subpart.

The Surety shall pay the penal sum of the bond to the IEPA within 30 days after the IEPA mails notice to the Surety that the Owner or operator has failed to so provide removal. Payment shall be made by check or draft payable to the State of Illinois.

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In Witness Whereof, the Owner or operator and Surety have executed this bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below certify that they are authorized to execute this surety bond on behalf of the Owner or operator and Surety.

Owner or operator

Surety

Signature

Name

Typed Name

Address

Title

State of Incorporation

Date

Signature

Typed Name

Title

Corporate seal

Corporate seal

POLLUTION CONTROL BOARD
NOTICE OF ADOPTED RULES

Section 848. Appendix A Financial Assurance Forms
Illustration F Letter From Chief Financial Officer
LETTER FROM CHIEF FINANCIAL OFFICER

Director
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

Dear Sir or Madam:

I am the chief financial officer of _____.

This letter is in support of this firm's use of financial test to demonstrate financial assurance pursuant to 35 Ill. Adm. Code 848.415.

This letter is to demonstrate financial assurance for the following sites:

Owner or operator:

Name:

Address:

City:

Current cost estimate:
\$ _____

Owner or operator:

Name:

Address:

City:

Current cost estimate: \$ _____

Please attach a separate page if more space is needed for all facilities.

Attached is an Owner or operator's Bond without Surety or an Owner or operator's Bond with Parent Surety for the current cost estimate for each site. (Strike inapplicable language.)

Financial Test
Alternative I

1. Sum of current cost estimates (total of all cost estimates shown in paragraphs above)
\$
2. Total liabilities (if any portion of the cost estimates is included in total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4)
\$
3. Tangible net worth
\$
4. Net worth
\$
5. Current assets
\$
6. Current liabilities
\$
7. Net working capital (line 5 minus line 6)
\$
8. The sum of net income plus depreciation, depletion, and amortization
\$
9. Total assets in U.S. (required only if less than 90 percent of firm's assets are located in the U.S.)
\$

Yes No

10. Is line 3 at least \$10 million?

11. Is line 3 at least 6 times line 1?

12. Is line 7 at least 6 times line 1?

13. Are at least 90 percent of firm's assets located in the U.S.? If not, complete line 14.

14. Is line 9 at least 6 times line 1?

15. Is line 2 divided by line 4 less than 2.0?

16. Is line 8 divided by line 2 greater than 0.1?

17. Is line 5 divided by line 6 greater than 1.5?

Signature _____

Typed Name _____

Title _____

Date _____

Financial Test
Alternative II

1. Sum of current cost estimates (total of all cost estimates shown in paragraphs above)
\$ _____
2. Current bond rating of most recent issuance of this firm and name of rating service

3. Date of issuance of bond

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4. Date of maturity of bond _____
5. Tangible net worth (if any portion of the cost estimate is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line) \$ _____
6. Total assets in U.S. (required only if less than 90 percent of firm's assets are located in the U.S.)
\$ _____
7. Is line 5 at least \$10 million?
Yes _____ No _____
8. Is line 5 at least 6 times line 1? _____
9. Are at least 90 percent of firm's assets located in the U.S.? If not complete line 10. _____
10. Is line 6 at least 6 times line 1? _____

Signature _____

Typed name _____

Title _____

Date _____

ILLINOIS POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Organic Material Emission Standards and Limitations
- 2) The Code Citation: 35 Ill. Adm. Code 215
- 3) Section Number: Adopted Action:
- | | |
|---------|-----------------------|
| 215.102 | Amendment |
| 215.105 | Amendment |
| 215.108 | New Section |
| 215.480 | Amendment |
| 215.481 | Amendment |
| 215.482 | Amendment |
| 215.483 | Amendment |
| 215.484 | Amendment |
| 215.485 | Amendment |
| 215.486 | Amendment |
| 215.487 | Amendment |
| 215.488 | Amendment |
| 215.489 | Renum., and New |
| 215.490 | Renum., and Amendment |
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, pars. 1010 and 1027.
- 5) Effective Date of Rule(s) (Amendments, Repealer): May 14, 1991
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Does this rule (amendment, repealer) contain incorporations by reference? Yes
- 8) Date Filed in Agency's Principal Office: April 25, 1991
- 9) Notice(s) of Proposal Published in Illinois Register: 14 Ill. Reg. 8877, June 8, 1990
- 10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? No
- 11) Difference(s) between proposal and final version:
No changes have been made from First Notice to Final Adoption
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule (amendments, repealer) replace an emergency

rule currently in effect? No14) Are there any amendments pending on this Part? Yes

Section Numbers:	Proposed Action:	Ill. Reg. Citation:
215.100	Amendment	15 Ill. Reg. 03659
215.100	Amendment	15 Ill. Reg. 03659
215.123	Amendment	15 Ill. Reg. 00768
215.581	Amendment	15 Ill. Reg. 03659
215.582	Amendment	15 Ill. Reg. 03659

15) Summary and Purpose of Rule(s):

Abbott first filed this proposed rulemaking in May of 1988 as a result of what the company perceived to be deficiencies in R86-10, the RACT Pharmaceutical Manufacturing Regulations adopted by the Board on April 7, 1988. During the promulgation of R86-10 and up until the present, both the Board and the USEPA have undertaken rulemakings regarding RACT regulations. In R89-16, the Board adopted regulations as part of the State Implementation Plan (SIP). The USEPA has also promulgated RACT regulations under its duty to develop a Federal Implementation Plan (FIP). Due to the fact that many of these regulations overlapped and Abbott felt that some were impossible to "live with", the company sought site-specific relief in May of 1988.

After five hearings and four amended proposals, Abbott, the Agency and the USEPA transformed the regulation into one of general applicability which would constitute a SIP revision. Both Abbott and the Agency, however, indicated that USEPA approval will not be forthcoming until the Board corrects the definition of Volatile Organic Material (VOM) as it appears in R89-16. The participants filed a joint proposal to this effect on November 13, 1990 and the Board made the appropriate revisions in the VOM definition in the Second Notice package.

USEPA's proposed pharmaceutical RACT rules were the subject of considerable testimony and comment throughout this proceeding. As previously noted, USEPA has adopted the FIP, which included Pharmaceutical Manufacturing RACT regulations. Subsequent to the June hearings, USEPA published its final FIP rules at 55 Fed. Reg. 26814 (June 29, 1990). A copy of the FIP regulatory preamble and rules was supplied to the Board as a joint public comment and is included as Attachment A to the Agency's final comments. In all apparent aspects the relevant language with respect to the pharmaceutical regulations in the pre-publication copy found at Exhibit 37 is the same as in

this final FIP. As Mr. Romaine of the Agency testified, the FIP pharmaceutical rules are substantially identical to the Fourth Amended Proposal.

This proceeding has evolved from one of a site-specific regulatory proposal to a general rulemaking that also corrects the stated deficiencies put forward by USEPA in their December 29, 1989 Notice of Proposed Rulemaking, certain other suggested modifications regarding enforceability raised by USEPA, and the changes to the definitions described in Mr. Steve Rothblatt's (USEPA) letter of October 5, 1990. The Fourth Amended Proposal, coupled with the latest definitional changes, has been determined to be acceptable by USEPA. It in large part formed the template for the FIP Pharmaceutical Regulations adopted by USEPA on June 29, 1990. This joint proposal is fully supported by the record presented to the Board. It represents compromises by Abbott in terms of limitation on the relief that it originally sought in this proceeding and constitutes a regulation which the record shows is RACT for the two known affected plants in Illinois. It addresses the enforceability and recordkeeping requirements which are necessary to ensure that the Agency has the flexibility to enforce the regulations.

16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer
100 W. Randolph Street
State of Illinois Center
Suite 11-500
Chicago, IL 60601
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

ILLINOIS POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE B: AIR POLLUTION

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 215

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS

SUBPART A: GENERAL PROVISIONS

Section	Introduction
215.100	Clean-up and Disposal Operations
215.101	Testing Methods
215.102	Abbreviations and Conversion Factors
215.103	Definitions
215.104	Incorporation by Reference
215.105	Afterburners
215.106	Determination of Applicability
215.107	<u>Measurement of Vapor Pressures</u>
215.108	

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	Storage Containers
215.121	Loading Operations
215.122	Petroleum Liquid Storage Tanks
215.123	External Floating Roofs
215.124	Compliance Dates and Geographical Areas
215.125	Compliance Plan
215.126	Emissions Testing
215.127	Measurement of Seal Gaps
215.128	

SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	Separation Operations
215.141	Pumps and Compressors
215.142	Vapor Blowdown
215.143	Safety Relief Valves
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SUBPART E: SOLVENT CLEANING

Section	Solvent Cleaning in General
215.181	Cold Cleaning
215.182	Open Top Vapor Degreasing
215.183	Conveyorized Degreasing
215.184	Compliance Plan
215.185	

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SUBPART F: COATING OPERATIONS

Section	Compliance Schedules
215.202	Emission Limitations for Manufacturing Plants
215.204	Alternative Emission Limitations
215.205	Exemptions from Emission Limitations
215.206	Compliance by Aggregation of Emission Sources
215.207	Testing Methods for Volatile Organic Material
215.208	Exemption from General Rule on Use of Organic Material
215.209	Alternative Compliance Schedule
215.210	Compliance Dates and Geographical Areas
215.211	Compliance Plan
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SUBPART H: SPECIAL LIMITATIONS FOR SOURCES IN MAJOR URBANIZED AREAS WHICH ARE NONATTAINMENT FOR OZONE

Section	Applicability
215.240	External Floating Roofs
215.241	Flexographic and Rotogravure Printing
215.245	Compliance Dates
215.249	

SUBPART I: ADJUSTED RACT EMISSIONS LIMITATIONS

Section	Applicability
215.260	Petition
215.261	Public Hearing
215.263	Board Action
215.264	Agency Petition
215.267	

SUBPART K: USE OF ORGANIC MATERIAL

Section	Use of Organic Material
215.301	Alternative Standard
215.302	Fuel Combustion Emission Sources
215.303	Operations with Compliance Program
215.304	Viscose Exemption (Repealed)
215.305	

SUBPART N: VEGETABLE OIL PROCESSING

Section	Hexane Extraction Soybean Crushing
215.340	Hexane Extraction Corn Oil Processing
215.342	Recordkeeping For Vegetable Oil Processes
215.344	Compliance Determination
215.345	Compliance Dates and Geographical Areas
215.346	Compliance Plan
215.347	

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SUBPART P: PRINTING AND PUBLISHING

Section
215.401 Flexographic and Rotogravure Printing
215.402 Exemptions
215.403 Applicability of Subpart K
215.404 Testing and Monitoring (Repealed)
215.405 Compliance Dates and Geographical Areas
215.406 Alternative Compliance Plan
215.407 Compliance Plan
215.408 Heatset Web Offset Lithographic Printing
215.409 Testing Methods for Volatile Organic Material Content
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SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING EQUIPMENT

Section
215.420 Applicability
215.421 General Requirements
215.422 Inspection Program Plan for Leaks
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215.424 Repairing Leaks
215.425 Recordkeeping for Leaks
215.426 Report for Leaks
215.427 Alternative Program for Leaks
215.428 Compliance Dates
215.429 Compliance Plan
215.430 General Requirements
215.431 Inspection Program Plan for Leaks
215.432 Inspection Program for Leaks
215.433 Repairing Leaks
215.434 Recordkeeping for Leaks
215.435 Report for Leaks
215.436 Alternative Program for Leaks
215.437 Open-Ended Valves
215.438 Standards for Control Devices
215.439 Compliance Date

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

Section
215.441 Petroleum Refinery Waste Gas Disposal
215.442 Vacuum Producing Systems
215.443 Wastewater (Oil/Water) Separator
215.444 Process Unit Turnarounds
215.445 Leaks: General Requirements
215.446 Monitoring Program Plan for Leaks
215.447 Monitoring Program for Leaks
215.448 Recordkeeping for Leaks

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215.449 Reporting for Leaks
215.450 Alternative Program for Leaks
215.451 Sealing Device Requirements
215.452 Compliance Schedule for Leaks
215.453 Compliance Dates and Geographical Areas

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section
215.461 Manufacture of Pneumatic Rubber Tires
215.462 Green Tire Spraying Operations
215.463 Alternative Emission Reduction Systems
215.464 Emission Testing and Monitoring
215.465 Compliance Dates and Geographical Areas
215.466 Compliance Plan
215.467 Testing Methods for Volatile Organic Material Content

SUBPART T: PHARMACEUTICAL MANUFACTURING

Section
215.480 Applicability of Subpart T
215.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers
215.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters
215.483 Material Storage and Transfer
215.484 In-Process Tanks
215.485 Leaks
215.486 Other Emission Sources
215.487 Testing
215.488 Monitors for Air Pollution Control Equipment
215.489 ~~Compliance Schedule Recordkeeping (Renumbered)~~
215.490 Compliance Schedule (Renumbered)

SUBPART U: COKE MANUFACTURING AND BY-PRODUCT RECOVERY

Section
215.500 Exceptions
215.510 Coke By-Product Recovery Plants
215.512 Coke By-Product Recovery Plant Leaks
215.513 Inspection Program
215.514 Recordkeeping Requirements
215.515 Reporting Requirements
215.516 Compliance Dates
215.517 Compliance Plan

SUBPART V: AIR OXIDATION PROCESSES

Section
215.520 Applicability
215.521 Definitions
215.525 Emission Limitations for Air Oxidation Processes

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215.526 Testing and Monitoring
215.527 Compliance Date

SUBPART W: AGRICULTURE

Section
215.541 Pesticide Exception

SUBPART X: CONSTRUCTION

Section
215.561 Architectural Coatings
215.562 Paving Operations
215.563 Cutback Asphalt

SUBPART Y: GASOLINE DISTRIBUTION

Section
215.581 Bulk Gasoline Plants
215.582 Bulk Gasoline Terminals
215.583 Gasoline Dispensing Facilities
215.584 Gasoline Delivery Vessels
215.585 Gasoline Volatility Standards
215.586 Emissions Testing

SUBPART Z: DRY CLEANERS

Section
215.601 Perchloroethylene Dry Cleaners
215.602 Exemptions
215.603 Leaks
215.604 Compliance Dates and Geographical Areas
215.605 Compliance Plan
215.606 Exception to Compliance Plan
215.607 Standards for Petroleum Solvent Dry Cleaners
215.608 Operating Practices for Petroleum Solvent Dry Cleaners
215.609 Program for Inspection and Repair of Leaks
215.610 Testing and Monitoring
215.611 Exemption for Petroleum Solvent Dry Cleaners
215.612 Compliance Dates and Geographical Areas
215.613 Compliance Plan
215.614 Testing Method for Volatile Organic Material Content of Wastes
215.615 Emissions Testing

SUBPART AA: PAINT AND INK MANUFACTURING

Section
215.620 Applicability
215.621 Exemption for Waterbase Material and Heatset Offset Ink
215.623 Permit Conditions
215.624 Open-top Mills, Tanks, Vats or Vessels
215.625 Grinding Mills

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215.628 Leaks
215.630 Clean Up
215.636 Compliance Date

SUBPART BB: POLYSTYRENE PLANTS

Section
215.875 Applicability of Subpart BB
215.877 Emissions Limitation at Polystyrene Plants
215.879 Compliance Date
215.881 Compliance Plan
215.883 Special Requirements for Compliance Plan
215.886 Emissions Testing

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section
215.920 Applicability
215.923 Permit Conditions
215.926 Control Requirements

SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section
215.940 Applicability
215.943 Permit Conditions
215.946 Control Requirements

SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section
215.960 Applicability
215.963 Permit Conditions
215.966 Control Requirements

Appendix A Rule into Section Table
Appendix B Section into Rule Table
Appendix C Past Compliance Dates
Appendix D List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
Appendix E Reference Methods and Procedures
Appendix F Coefficients for the Total Resource Effectiveness Index (TRE) Equation

AUTHORITY: Implementing Section 22 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111-1/2, pars. 1022 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 205: Organic Material Emission Standards and Limitations, R71-23, 4 PCB 191,

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filed and effective April 14, 1972; amended in R77-3, 33 PCB 357, at 3 Ill. Reg. 18, p. 41, effective May 3, 1979; amended in R78-3 and R78-4, 35 PCB 75, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5 at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13601; Notice of Corrections at 7 Ill. Reg. 14575; amended in R82-14 at 8 Ill. Reg. 13254, effective July 12, 1984; amended in R83-36 at 9 Ill. Reg. 9114, effective May 30, 1985; amended in R82-14 at 9 Ill. Reg. 13960, effective August 28, 1985; amended in R85-28 at 11 Ill. Reg. 3127, effective February 3, 1987; amended in R82-14 at 11 Ill. Reg. 7296, effective April 3, 1987; amended in R85-21(A) at 11 Ill. Reg. 11770, effective June 29, 1987; recodified in R86-39 at 11 Ill. Reg. 13541; amended in R82-14 and R86-12 at 11 Ill. Reg. 16706, effective September 30, 1987; amended in R85-21(B) at 11 Ill. Reg. 19117, effective November 9, 1987; amended in R86-36, R86-39, R86-40 at 11 Ill. Reg. 20829, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 815, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7311, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7650, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10893, effective June 27, 1989; amended in R88-30(A) at 14 Ill. Reg. 3555, effective February 27, 1990; amended in R88-19 at 14 Ill. Reg. 7596, effective May 8, 1990; amended in R89-16(A) at 14 Ill. Reg. 9173, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 3309, effective February 13, 1991; amended in R88-14 at 15 Ill. Reg. 8018, effective May 14, 1991.

SUBPART A: GENERAL PROVISIONS

Section 215.102

Testing Methods

a) Volatile organic material or organic material concentrations in a stream is measured by Method 18, 40 CFR 60, Appendix A, incorporated by reference in Section 215.105, Measurement of Gaseous Organic Compounds incorporated by reference in 215.105 except as follows. ASTM d-4457, incorporated by reference in Section 215.105, may be used for halogenated organic compounds. Method 25, 25A or 25B, 40 CFR 60, Appendix A, incorporated by reference in Section 215.105 may be substituted for Method 18 provided the source owner or operator submits calibration data and other proof that this method provides the information in the emission units of the applicable standard. The volumetric flow rate and gas velocity is determined in accordance with Methods 1, 1A, 2, 2A, 2C, 2D, 3 and 4, 40 CFR Part 60, Appendix A, incorporated by reference in 215.105. Any other alternate test method

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must be approved by the Agency, which shall consider data comparing the performance of the proposed alternative to the performance of the approved test method(s). If the Agency determines that such data demonstrates that the proposed alternative will achieve results equivalent to the approved test method(s), the Agency shall approve the proposed alternative.

b) Measurement of Vapor Pressures

1) For a single component, the actual vapor pressure shall be determined by ASTM (American Society of Testing and Materials) Method D-2079-83 (Approved 1983), incorporated by reference in Section 215.105 or the vapor pressure may be obtained from a published source such as Boublík, P., V. Fried and S. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973), Perry's Chemical Engineer's Handbook, McGraw Hill Book Company (1984), CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (1968-87), Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

2) For a mixture, the actual vapor pressure shall be determined by ASTM (American Society of Testing and Materials) Method D-2079-83 (Approved 1983) incorporated by reference in Section 215.105, or the vapor pressure may be taken as either:

A) If the vapor pressure of the volatile organic liquid is specified in the applicable rule, the lesser of the sum of the actual vapor pressure of each component or each volatile organic material component, as determined in accordance with subsection (b)(1), weighted by its mole fraction or

B) If the vapor pressure of the organic material or volatile organic material is specified in the applicable rule, the sum of the actual vapor pressure of each such component as determined in accordance with subsection (b)(1) weighted by its mole fraction.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.105 Incorporation by Reference

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The following materials are incorporated by reference:

- a) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103:

- 1) ASTM D 1644-59 Method A
- 2) ASTM D 1475-60
- 3) ASTM D 2369-73
- 4) ASTM D 2879-83 (Approved 1983)
- 5) ASTM D 323-82 (Approved 1982)
- 6) ASTM D 86-82 (Approved 1982)
- 7) ASTM E 260-73 (Approved 1973), E 168-67 (Reapproved 1977), E 169-63 (Reapproved 1981), E 20 (Approved 1985)
- 8) ASTM D 97-66
- 9) ASTM D 1946-67
- 10) ASTM D 2382-76
- 11) ASTM D 2504-83
- 12) ASTM D 2382-83
- 13) ASTM D 4057-81 (Approved 1981)
- 14) ASTM D 4177-82 (Approved 1982)
- 15) ASTM D 4953-89
- 16) ASTM D-4457-85

- b) Federal Standard 141a, Method 4082.1.

- c) National Fire Codes, National Fire Prevention Association, Battery March Park, Quincy, Massachusetts 02269 (1979).

- d) United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026, Appendix A.

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- e) United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-051 Appendix A and Appendix B (December 1978).

- f) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1972

- g) 40 CFR 60, (July 1, 1988).

- h) United States Environmental Protection Agency, Washington D.C., EPA-450/2-78-041.

- i) 40 CFR 80, Appendices D, E, and F, adopted March 22, 1989 at 54 Fed. Reg. 11997.

- j) Elsevier Scientific Publishing Co., New York, "The Vapor Pressure of Pure Substances" (1973), Boublik, T., V. Fried and E. Hala.

- k) McGraw-Hill Book Company, "Perry's Chemical Engineer's Handbook" (1984).

- l) Chemical Rubber Publishing Company, "CRC Handbook of Chemistry and Physics" (1968-87).

- m) McGraw-Hill Book Company, "Lange's Handbook of Chemistry" (1985) John A. Dean, editor.

- n) United States Environmental Protection Agency, Washington D.C., "Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products", (EPA-450/2-78-029).

BOARD NOTE: The incorporations by reference listed above contain no later amendments or editions.)

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991.)

Section 215.108 Measurement of Vapor Pressures

- a) Vapor Pressure of Volatile Organic Liquids

- 1) If the volatile organic liquid consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86, or the vapor pressure may be obtained from a published source such as "The Vapor Pressure of Pure Substances," "Perry's

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Chemical Engineer's Handbook," "CRC Handbook of Chemistry and Physics," or "Lange's Handbook of Chemistry," each source incorporated by reference at Section 215.105.

- 2) If the volatile organic liquid is a mixture, the vapor pressure shall be determined by ASTM Method D2879-86 or by the following equation:

$$P_{vol} = \sum_{i=1}^n P_i X_i$$

where:

P_{vol} = Total vapor pressure of the mixture.

n = Number of components in the mixture.

i = Subscript denoting an individual component.

P_i = Vapor pressure of a component determined in accordance with subsection (a)(1).

X_i = Mole fraction of the component in the total mixture.

- b) Vapor Pressure of Organic Material or Solvent

- 1) If the organic material or solvent consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86, or the vapor pressure may be obtained from a published source such as "The Vapor Pressure of Pure Substances," "Perry's Chemical Engineer's Handbook," "CRC Handbook of Chemistry and Physics," or "Lange's Handbook of Chemistry," each source incorporated by reference at Section 215.105.

- 2) If the organic material or solvent is a mixture made up of both organic material compounds and compounds which are not organic material, the vapor pressure shall be determined by the following equation:

n

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$$P_{om} = \frac{\sum_{i=1}^n P_i X_i}{\sum_{i=1}^n X_i}$$

where:

P_{om} = Total vapor pressure of the portion of the mixture which is composed of organic material.

n = Number of organic material components in the mixture.

i = Subscript denoting an individual component.

P_i = Vapor pressure of an organic material component determined in accordance with subsection (b)(1).

X_i = Mole fraction of the organic material component of the total mixture.

- 3) If the organic material or solvent is a mixture made up of only organic material compounds, the vapor pressure shall be determined by ASTM Method D2879-86 or by the above equation.

- c) Vapor Pressure of Volatile Organic Material

- 1) If the volatile organic material consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86, or the vapor pressure may be obtained from a published source such as "The Vapor Pressure of Pure Substances," "Perry's Chemical Engineer's Handbook," "CRC Handbook of Chemistry and Physics," or "Lange's Handbook of Chemistry," each source incorporated by reference at Section 215.105.

- (2) If the volatile organic material is a mixture made up of both volatile organic material compounds and compounds which are not volatile organic material.

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the vapor pressure shall be determined by the following equation:

$$P_{\text{vom}} = \frac{\sum_{i=1}^n P_i X_i}{\sum_{i=1}^n X_i}$$

where:

P_{vom} = Total vapor pressure of the portion of the mixture which is composed of volatile organic material.

n = Number of volatile organic material components in the mixture.

i = Subscript denoting an individual component.

P_i = Vapor pressure of a volatile organic material component determined in accordance with subsection (c)(1).

X_i = Mole fraction of the volatile organic material component of the total mixture.

- 3) If the volatile organic material is a mixture made up of only volatile organic material compounds, the vapor pressure shall be determined by ASTM Method D2879-86 or by the above equation.

(Source: Added at 15 Ill. Reg. 8018, effective May 14, 1991)

SUBPART T: PHARMACEUTICAL MANUFACTURING

Section 215.480 Applicability of Subpart T

- a) The rules of this Subpart, except for Sections 215.483 through 215.485, apply to all emission sources of volatile organic material, including but not limited to reactors, distillation units, dryers, storage tanks for volatile organic liquids, equipment for the transfer of volatile

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organic liquids, filters, crystallizers, washers, laboratory hoods, pharmaceutical coating operations, mixing operations and centrifuges used in manufacturing, including packaging, of pharmaceuticals, and emitting more than 6.8 kg/day (15 lbs/day) of volatile organic material and more than 2268 kg/year (2.5 tons/year) of volatile organic material, ~~or, if~~. If an emission source emits less than 2,268 kg/year (2.5 tons/year) of volatile organic material, the requirements of these sections this Subpart, except for Sections 215.483 through 215.485, still apply to the emission source if volatile organic material emissions from any single the emission source exceed 45.4 kg/day (100 lbs/day).

- b) ~~The following emissions shall be excluded from a determination of what constitutes more than 2268 kg/year (2.5 tons/year) of volatile organic material for the purposes of subsection (a) above: not more than 4535 kg/year (5.0 tons/year) of volatile organic material from each fluid bed drier or each tunnel drier, and not more than 6803 kg/year (7.5 tons/year) of volatile organic material from each Accelacota. This subsection shall apply only to fluid bed dryers, tunnel dryers and Accelacotas located in Libertyville Township, Lake County, Illinois, and only when such emissions are not vented to air pollution control equipment. Notwithstanding subsection (a), the air suspension coater/dryer, fluid bed dryers, tunnel dryers and Accelacotas located in Libertyville Township, Lake County, Illinois shall be exempt from the rules of this Subpart, except for Sections 215.483 through 215.485, if emissions of volatile organic material not vented to air pollution control equipment do not exceed the following levels: for the air suspension coater/dryer: 2268 kg/year (2.5 tons per year); for each fluid bed dryer: 4535 kg per year (5.0 tons per year); for each tunnel dryer: 6803 kg per year (7.5 tons per year); and for each Accelacota: 6803 kg per year (7.5 tons per year).~~

- c) Sections 215.483 through 215.485 apply to a plant having one or more emissions sources that:

- 1) are used to manufacture pharmaceuticals; and
- 2) emit more than 6.8 kg/day (15 lbs/day) of volatile organic material and more than 2268 kg/year (2.5 tons/year) of volatile organic material, or, if less than 2.5 tons/year, these sections still apply if

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emissions from one or more emission sources exceed 45.4 kg/day (100 lbs/day).

d) No person shall violate any condition in a permit when the condition results in exclusion of an emission source from this Subpart-~~F~~.

e) Emissions subject to this Subpart shall be controlled at all times, consistent with the requirements set forth in this Subpart.

f) Control devices required pursuant to Section 215.483 shall be operated at all times.

g) If a pharmaceutical manufacturing emission source becomes subject to the provisions of Sections 215.481, 215.482 or 215.486 on or after the compliance date specified in Section 215.490(a), the requirements of such section shall continue to apply to the emission source even if there is a reduction in emissions as to be below the applicability criteria of this Section.

h) Determinations of daily and/or annual emissions

1) Determinations of daily and/or annual emissions for purposes of this Section shall be made using:

(A) data on the hourly emission rate or the emission per unit of throughput, and

(B) appropriate daily and annual data from records of emission source operation or material throughput, or material consumption.

2) In the absence of representative test data pursuant to Section 215.487 for the hourly emission rate or emission rate per unit of throughput, such items shall be determined using engineering calculations, including the methods described in Appendix B of "Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products" incorporated by reference at Section 215.105.

3) This subsection shall not affect the Agency's authority to require emissions tests to be performed pursuant to Section 215.487.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

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Section 215.481

Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers

a) The owner or operator shall control all reactors, distillation units, crystallizers, centrifuges and vacuum dryers that are used to manufacture pharmaceuticals with surface condensers operated such that the condenser outlet gas temperature does not exceed or other air pollution control equipment listed in subsection (a)(2).

1) If a surface condenser is used, it shall be operated such that the condenser outlet gas temperature does not exceed:

1A) 248.2 K (-13 F) when condensing volatile organic material of vapor pressure greater than 40.0 kPa (5.8 psi) at 294.3 K (70 F); or

2B) 258.2 K (5 F) when condensing volatile organic material of vapor pressure greater than 20.0 kPa (2.9 psi) at 294.3 K (70 F); or

3C) 273.2 K (32 F) when condensing volatile organic material of vapor pressure greater than 10.0 kPa (1.5 psi) at 294.3 K (70 F); or

4D) 283.2 K (50 F) when condensing volatile organic material of vapor pressure greater than 7.0 kPa (1.0 psi) at 294.3 K (70 F); or

5E) 298.2 K (77 F) when condensing volatile organic material of vapor pressure greater than 3.45 kPa (0.5 psi) at 294.3 K (70 F).

2) If a scrubber, carbon adsorber, thermal incinerator, catalytic incinerator or other air pollution control equipment other than a surface condenser is used, such equipment shall provide a reduction in the emissions of volatile organic material of 90 percent or more.

b) The owner or operator shall enclose all centrifuges used to manufacture pharmaceuticals and that have an exposed volatile organic liquid surface, where the volatile organic material in the volatile organic liquid has a vapor pressure of 3.45 kPa (0.5 psi) or more at 294.3 K

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(70 F), except as production, sampling, maintenance or inspection procedures require operator access.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters

a) The owner or operator of an air dryer or production equipment exhaust system used to manufacture pharmaceuticals shall control the emissions of volatile organic material from such emission sources by air pollution control equipment which reduces by 90 percent or more the volatile organic material that would otherwise be emitted into the atmosphere.

b) The owner or operator shall enclose all rotary vacuum filters and other filters used to manufacture pharmaceuticals and that have an exposed volatile organic liquid surface, where the volatile organic material in the volatile organic liquid has a vapor pressure of 3.45 kPa (0.5 psi) or more at 294.3 K (70 F), except as production, sampling, maintenance or inspection procedures require operator access.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.483 Material Storage and Transfer

The owner or operator of a pharmaceutical manufacturing plant shall:

- Provide a vapor balance system ~~or equivalent control system~~ that is at least 90.0 percent effective in reducing volatile organic material emissions from truck or railcar deliveries to storage tanks with capacities equal to or greater than 7.57m³ (2,000 gallons) that store volatile organic liquids with vapor pressures greater than 28.0 kPa (4.1 psi) at 294.3 K (70 F); and
- Install, operate and maintain pressure/vacuum conservation vents set at 0.2 kPa (0.03 psi) or greater on all storage tanks that store volatile organic liquids with vapor pressures greater than 10 kPa (1.5 psi) at 294.3 K (70 F) unless a control system that allows less VOM to be emitted is used.

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(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.484 In-Process Tanks

The owner or operator shall install covers on all in-process tanks used to manufacture pharmaceuticals and containing a volatile organic liquid at any time. These covers must remain closed, except when production, sampling, maintenance, or inspection procedures require operator access.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.485 Leaks

The owner or operator of a pharmaceutical manufacturing plant shall repair any component from which a leak of volatile organic liquid can be observed. The repair shall be completed as soon as practicable but no later than 15 days after the leak is found unless the leaking component cannot be repaired until the process unit is shut down, and the leaking component must then be repaired before the unit is restarted.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.486 Other Emission Sources

The owner or operator of a washer, laboratory hood, capsule tablet coating operation, mixing operation, or any other process emission source not subject to Section 215.481 through 215.485 of this Subpart, and used to manufacture pharmaceuticals shall control the emissions of volatile organic material from such emission sources by:

- Air pollution control equipment which reduces by 81 percent or more the volatile organic material that would otherwise be emitted to the atmosphere, or
- A surface condenser which captures all the volatile organic material which would otherwise be emitted to the atmosphere and which meets the requirements of Section 215.481(a) of this Subpart.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.487 Testing

- Upon reasonable request by the Agency, the owner or operator of any volatile organic material emission source

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subject to this Subpart or exempted from this Subpart by provisions of Section 215.480(a), (b) or (c) shall, at his own expense, demonstrate compliance to the Agency by methods or procedures listed in Section 215.487(c); and

b) All tests pursuant to Section 215.487(e) shall be performed in conformance with the procedures set forth in 35 Ill. Adm. Code 203A person planning to conduct a volatile organic material emissions test to demonstrate compliance with or determine applicability of provisions of this Subpart shall notify the Agency of that intent to test not less than 30 calendar days prior to the planned initiation of the test.

c) Test procedures to determine operation and maintenance compliance with and applicability of this Subpart are in 40 CFR Part 60, Appendix A, incorporated by reference at Section 215.105, and shall be used as delineated below: shall be consistent with EPA 450/2-78-0417 incorporated by reference in Section 215.105. Procedures for testing air pollution control equipment to determine compliance with this Subpart shall use Part 230, Appendix A Method 25 (40 C.F.R. 60, Appendix A Method 25).

1) 40 CFR 60, Appendix A, Methods 18, 25 or 25A, as appropriate to the conditions at the site, shall be used to determine VOC concentration. Method selection shall be based on consideration of the diversity of organic species present and their total concentration and on consideration of the potential presence of interfering gases. Except as indicated in subsections (c)(1)(A) and (c)(1)(B), the test shall consist of three separate runs, each lasting a minimum of 60 minutes, unless the Agency determines that process variables dictate shorter sampling times.

A) When the method is to be used to determine the efficiency of a fixed-bed carbon adsorption system with a common exhaust stack for all the individual adsorber vessels, the test shall consist of three separate runs, each coinciding with one or more complete sequences through the adsorption cycles of all the individual adsorber vessels.

B) When the method is to be used to determine the efficiency of a fixed-bed carbon adsorption system with individual exhaust stacks for each

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adsorber vessel, each adsorber vessel shall be tested individually. The test for each adsorber vessel shall consist of three separate runs. Each run shall coincide with one or more complete adsorption cycles.

2) 40 CFR Part 60, Appendix A, Method 1 or 1A shall be used for sample and velocity traverses.

3) 40 CFR Part 60, Appendix A, Method 2, 2A, 2C or 2D shall be used for velocity and volumetric flow rates.

4) 40 CFR Part 60, Appendix A, Method 3 shall be used for gas analysis.

5) 40 CFR Part 60, Appendix A, Method 4 shall be used for stack gas moisture.

6) 40 CFR Part 60, Appendix A, Methods 2, 2A, 2C, 2D, 3 and 4 shall be performed, as applicable, at least twice during each test run.

d) This section shall not affect the authority of the U.S. Environmental Protection Agency under Section 114 of the Clean Air Act.

(Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.488 Monitors for Air Pollution Control Equipment

a) At a minimum, continuous monitors for the following parameters shall be installed on air pollution control equipment subject to this Subpart:

- 1) Destruction device combustion temperature;
- 2) Temperature rise across a catalytic afterburner bed;
- 3) Breakthrough of volatile organic material on a carbon absorption unit;
- 4) Outlet gas temperature of a refrigerated condenser;
- 5) Temperature of a non-refrigerated condenser coolant supply system.

b) Each monitor shall be equipped with a recording device.

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- c) Each monitor shall be calibrated quarterly.
- d) Each monitor shall operate at all times while the associated control equipment is operating.
- (Source: Amended at 15 Ill. Reg. 8018, effective May 14, 1991)

Section 215.489 ~~Compliance Schedule~~ Recordkeeping (Renumbered)

- a) The owner or operator of a pharmaceutical manufacturing plant shall maintain the following records:
- 1) The parameters listed in Section 215.488 shall be recorded.
 - 2) For sources subject to Section 215.481, the vapor pressure of the volatile organic material being controlled shall be recorded for every process.
- b) For any leak subject to Section 215.485 which cannot be readily repaired within one hour after detection, the following records shall be kept:
- 1) The name of the leaking equipment.
 - 2) The date and time the leak is detected.
 - 3) The action taken to repair the leak.
 - 4) The date and time the leak is repaired.
- c) The following records shall be kept for emission sources subject to Section 215.484 which contain volatile organic liquid:

- 1) For maintenance and inspection:
 - A) The date and time each cover is opened.
 - B) The length of time the cover remains open.
 - C) The reason why the cover is opened.
- 2) For production and sampling, written procedures or manufacturing directions specifying the circumstances under which covers may be opened and the procedures for opening covers.

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- d) For each emission source used in manufacture of pharmaceuticals for which the owner or operator of a pharmaceutical manufacturing plant claims emission standards are not applicable because the emissions are below the applicability cutoff in Section 215.480(a) or (b), the owner or operator shall:
- 1) Maintain a demonstration, including detailed engineering calculations, of the maximum daily and annual emissions for each such emission source showing that the emissions are below the applicability cutoffs in Section 215.480(a) or (b), as appropriate, for the current and prior calendar years;
 - 2) Maintain operating records for each emission source to identify whether the cutoffs in Section 215.480(a) or (b), as appropriate, are ever exceeded; and
 - 3) Provide written notification to the Agency within 30 days of a determination that such an emissions source has exceeded the applicability cutoff of Section 215.480(a) or (b), as appropriate.
- e) Records required under this section shall be maintained by the owner or operator for a minimum of two years after the date on which they are made.
- f) Copies of the records shall be made available to the Agency upon verbal or written request.
- (Source: Renumbered to Section 215.490 and added at 15 Ill. Reg. 8018, effective May 14, 1991)
- Section 215.490 Compliance Schedule (Renumbered)
- a) The owner or operator of an emission source subject to this Subpart, the construction or modification of which has commenced prior to April 15, 1988 (the effective date of these amendments), must complete onsite construction, modification or installation of the emission control and/or process equipment, or both, or complete any necessary production process changes so as to operate in compliance with this Subpart by April 30, 1989.
- b) The owner and operator of any emission source subject to this Subpart, the construction or modification of which has not commenced prior to April 15, 1988 (the effective

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date of these amendments), shall construct such source so that it will operate in compliance with this Subpart.

(Source: Renumbered from Section 215.489 and amended at 15 Ill. Reg. 8018, effective May 14, 1991)

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NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish this information in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: Ill. Rev. Stat. 1989, ch. 127, par. 2001 (Public Act 82-727, effective November 12, 1981)

2. Summary of information:

Index of Department of Revenue income tax letter rulings issued for the First Quarter of 1991.

The ruling letters are listed numerically with a brief synopsis under the following subjects:

Addition Modifications	Bulk Sales: See Sales Outside
Bond Premium Amortization	the Ordinary Course of Business (Bulk Sales)
Dividends	Business Income
Interest	Capital Gains (Losses)
Net Operating Loss	(Also See Subtraction Modifications - Valuation Limitation)
Zero Coupon Bonds	Check Off Funds
Other Rulings	Circuit Breaker
(not included above)	Claims for Refund: See Refunds
Administrative Review	Collection
Allocation	Combined Unitary Return
(For Alternative Allocation rulings, see that heading)	(Also See Unitary)
Alternative Allocation	Commercial Domicile
Amnesty	Compensation
Apportionment	Composite Returns
Financial Organizations	Confidentiality
Insurance Companies	Credits
Payroll Factor	Coal Research and
Property Factor	Utilization
Sales Factor	Credit for Replacement Tax
Transportation Services	Paid
Other Rulings	Enterprise Zone Investment
(not included above)	Foreign Tax
Assessment	High Impact Business Investment
Bankruptcy	Jobs Tax
Base Income	Replacement Tax Investment
(Also See Addition Modifications, Fringe Benefits, Subtraction Modifications)	Research and Development
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 Subtraction Modifications)
 Erroneous Refund: See Refunds
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 Failure to File: See Penalties
 Failure to Pay: See Penalties
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Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 25c per page for each page over one.

The annual index of income tax letter rulings (all four quarters) is available for \$3.00. A Cumulative Income Tax Sunshine Index of 1981 through 1989 letter rulings may be purchased for \$4.00.

3. Name and address of person to contact concerning this information:

Margaret Forth
 Legal Division
 101 West Jefferson Street
 Springfield, Illinois 62794
 Telephone: (217) 782-6996

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ADDITION MODIFICATIONS - INTEREST

- IT 91-26 02/05/91 Questionnaire regarding State income taxation of zero coupon interest on municipal bonds.
- IT 91-65 03/13/91 In general, interest income from municipal bonds is subject to Illinois income taxation. (For a few exceptions, see Publication 101 (R-1/90). The income tax rate on the interest income from municipal bonds depends upon the classification of the taxpayer.

ADMINISTRATIVE REVIEW

- IT 91-4 01/04/91 A penalty assessed by the Department for underpayment of estimated tax is deemed assessed with the filing of a return. The manner in which a hearing could be obtained in a matter of this kind would be to pay the assessment penalty and file an amended return within a year of payment and claim a refund.

- IT 91-35 02/27/91 The potential to investigate, settle, defend, and to pay on claims within a state creates nexus, even if only independent contractors are used to perform services. The Department agrees with your conclusion that a foreign Risk Retention Group is subject to Illinois income tax requirements. Outside of action by the Board of Appeals, there is no administrative authority to relieve the Risk Retention Group from income tax filing requirements, either for the current year, or for prior years.

- IT 91-62 03/07/91 Illinois statutes and regulations establish a Board of Appeals which is often petitioned by taxpayers when other remedies are not available.

ALLOCATION

(For Alternative Allocation rulings, see that heading)

- IT 91-2 01/02/91 Discusses whether a nonresident would be subject to Illinois income tax.

- IT 91-5 01/04/91 Discusses the Illinois income tax liabilities of a Colorado resident who is working in Illinois and the Indiana employer.
- IT 91-10 01/14/91 There were filing requirements for individuals and partnerships during the years involved. A California partner was deriving source income from Illinois as a partner in a Real Estate Investment Partnership.
- IT 91-11 01/15/91 A partnership is required to file an Illinois partnership return if it has base income allocable to this State in accordance with Section 305(c). The fact that a partner resides in Illinois is immaterial.
- IT 91-18 01/23/91 Discusses the Illinois tax liability of a nonresident professional singer performing in Illinois.
- IT 91-20 01/25/91 Discusses the Illinois tax liability of foreign nationals in the United States under J1, J2, F1 and H1 Visa's.
- IT 91-21 01/25/91 Pursuant to IITA 301(c)(2)(A), interest and dividend income from an Illinois irrevocable trust is not allocated to Illinois.
- IT 91-49 03/05/91 The Teachers' Retirement Income and the IRA Distribution would not be taxable income to either a resident or nonresident of Illinois. The interest on the DC would not be taxable by Illinois if the interest was received at the time you were a nonresident.
- IT 91-56 03/06/91 Money from a qualified/retirement profit sharing plan is not subject to Illinois income tax. Unless you had other income allocated or apportioned to Illinois, you would not be obligated to file an individual income tax return for the year 1990.

ALTERNATIVE ALLOCATION

- IT 91-43 03/04/91 Denial of a petition by a partnership in the business of acquiring and holding properties on

either freehold or leasehold properties and leasing or sub-leasing the properties to use separate accounting.

APPORTIONMENT - FINANCIAL ORGANIZATIONS

- IT 91-41 02/28/91 If taxpayer is a "financial organization" the Department would agree with your conclusion that interest on funds deposited in blocked accounts located outside of Illinois constitute interest income received by taxpayer outside of the State of Illinois for purposes of 304(c)(1)(C) of the IITA
- IT 91-45 03/04/91 If the above-referenced corporation originated and closed loans in Illinois for Illinois and non Illinois customers, but received, processed and deposited the monthly payments, principal and interest outside Illinois, the interest income would be excluded from the Illinois numerator of the financial apportionment ratio, but would be included in the Illinois denominator. Interest received within Illinois, including the interest received at a branch office in Illinois of the financial corporation, is apportionable to Illinois (in the numerator of the financial apportionment ratio). If a different member of the unitary financial group, which was not licensed or doing business within Illinois, but had payments, principal and interest, received, processed and deposited within Illinois, the interest income would be sourced to Illinois and included in the numerator of the unitary group.

APPORTIONMENT - INSURANCE COMPANIES

- IT 91-35 02/27/91 The potential to investigate, settle, defend, and to pay on claims within a state creates nexus, even if only independent contractors are used to perform services. The Department agrees with your conclusion that a foreign Risk Retention Group is subject to Illinois income tax requirements. Outside of action by the Board of Appeals, there is no administrative authority to relieve the Risk Retention Group from income tax filing

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requirements, either for the current year, or for prior years.

APPORTIONMENT - PROPERTY FACTOR

IT 91-6

01/08/91 In the case of mobile property, such as the tractors and trailers which are leased to common carriers, and used in interstate transit, the Department deems it appropriate to apportion the cost of such property based on the ratio of time spent by the property in the State in connection with the taxpayer's business to the total of such time spent everywhere. In the case of the sales factor, the Department deems it appropriate to apportion and attribute gross receipts from the lease or rental of personal property in this State measured by a ratio based on the time the property was physically present or used in Illinois as compared to the total time or use of the property everywhere.

APPORTIONMENT - SALES FACTOR

IT 91-6

01/08/91 In the case of mobile property, such as the tractors and trailers which are leased to common carriers, and used in interstate transit, the Department deems it appropriate to apportion the cost of such property based on the ratio of time spent by the property in the State in connection with the taxpayer's business to the total of such time spent everywhere. In the case of the sales factor, the Department deems it appropriate to apportion and attribute gross receipts from the lease or rental of personal property in this State measured by a ratio based on the time the property was physically present or used in Illinois as compared to the total time or use of the property everywhere.

IT 91-39

02/28/81 Discusses the Illinois income taxation of a FSC.

IT 91-58

03/06/91 Discusses the Illinois income tax liability of a company with a commission sales' agent in Illinois.

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IT 91-76

03/20/91 Discusses whether a corporation can be unitized with a separate activity of a second corporation with two activities. Sales factor is computed net of the IRC 243 deduction. Municipal interest income derived from business activities should be part of the sales factor for apportioning base income to Illinois. Current IL-1040-X instructions require an adjustment for federal itemized deductions.

IT 91-82

03/26/91 Discusses a license agreement involving computer software.

APPORTIONMENT - TRANSPORTATION SERVICES

IT 91-25

01/31/91 304(d) requires the business income derived from furnishing transportation service to be apportioned to this State pursuant to a single-factor formula.

APPORTIONMENT - OTHER RULINGS (NOT INCLUDED ABOVE)

IT 91-16

01/22/91 Discusses whether a broker dealer is required to file an Illinois tax return.

IT 91-17

01/23/91 Discusses the Illinois tax liability of an employee leasing company that transfers the employees from client company's payroll to its own payroll and becomes responsible for payment of certain taxes.

IT 91-18

01/23/91 Discusses the Illinois tax liability of a nonresident professional singer performing in Illinois.

BANKRUPTCY

IT 91-79

03/22/91 Regardless that taxpayer did not transfer to the Receiver a specific withholding account, as an employer taxpayer was obligated pursuant to IITA 705 to deduct, withhold and pay over to the Department of Revenue Illinois income tax from the wages of its employees. As transferee of the

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assets of the taxpayer, the receiver is liable to the Department for the withholding tax in accordance with IITA 1405.

BASE INCOME

(Also See Addition Modifications, Fringe Benefits, Subtraction Modifications)

IT 91-44

03/04/91 Questionnaire concerning employee elective salary reduction contributions to a cafeteria plan or to a cash or deferred plan and the cost of employer-provided group term life insurance in excess of \$50,000.

IT 91-46

03/04/91 Discusses the Illinois tax liability of a Chinese citizen.

IT 91-49

03/05/91 The Teachers' Retirement Income and the IRA Distribution would not be taxable income to either a resident or nonresident of Illinois. The interest on the DC would not be taxable by Illinois if the interest was received at the time you were a nonresident.

IT 91-51

03/05/91 Questionnaire regarding "Treatment of Deductible Self-Employment Taxes".

CAPITAL GAINS (LOSSES)

(Also See Subtraction Modifications - Valuation Limitation)

IT 91-50

03/05/91 The amount of the federal capital gain deduction of an estate or trust added back to state taxable income to obtain Illinois base income does not include any amount that relates to capital gain income for which the estate or trust is entitled to a charitable deduction under the Federal Income Tax Code 642(c).

COMPENSATION

IT 91-5

01/04/91 Discusses the Illinois income tax liabilities of a Colorado resident who is working in Illinois and the Indiana employer.

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COMPOSITE RETURNS

IT 91-14

01/22/91 Because the grantor trust is not subject to the Illinois Replacement Tax, the allocated share of S corporation income of the grantor trust may be omitted from line 1 of Part II of the 1990 Form IL-1023-C. Because individual beneficiaries of a grantor type trust are treated as owners of the trust income, these beneficiaries may include their shares of income from the S corporation on line 1 and 3 of Part I of the 1990 Form IL-1023-C.

CONFIDENTIALITY

IT 91-13

01/22/91 Section 917(a) of the IITA prohibits the Department from furnishing the requested information unless served with a certified copy of a court order.

IT 91-31

02/25/91 IITA 917(a) prohibits the Department from furnishing the requested information unless served with a certified copy of a court order.

CREDIT FOR REPLACEMENT TAX PAID

IT 91-74

03/28/91 Discusses the credit for replacement tax paid.

CREDITS - FOREIGN TAX

IT 91-36

02/27/91 Discusses the tax consequences with regard to Schedule CR of an Illinois resident working in Missouri.

CREDITS - HIGH IMPACT BUSINESS INVESTMENT

IT 91-12

01/22/91 Discusses the history of the replacement tax investment credit. The Department deems it appropriate to apply the same historical federal rules in regard to the Federal Investment Credit in determining the eligibility of interest costs and uniform capitalization costs for the Illinois High Impact Investment Credit.

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CREDITS - REPLACEMENT TAX INVESTMENT

IT 91-12 01/22/91 Discusses the history of the replacement tax investment credit. The Department deems it appropriate to apply the same historical federal rules in regard to the Federal Investment Credit in determining the eligibility of interest costs and uniform capitalization costs for the Illinois High Impact Investment Credit.

CREDITS - TRAINING EXPENSE

IT 91-37 02/27/91 Training to become an attorney, accountant, engineer, doctor, or consultant would not, by itself, qualify for the training expense credit. The training must be specialized tasks required by new technologies. If the training is in a semi-technical, semi-skilled field, a direct cost such as tuition (and paid and deductible by employer) qualifies. Indirect costs such as materials, professional subscriptions, trade newsletters, manuals, and costs of travel do not qualify for the training expense credit. Section 201(j) does provide that for partners and for shareholders of an S corporation, the training expense credit is determined in accordance with the determination of income and distributive share of income under 702 and 704 and subchapter S of the IRC.

ESTATES

IT 91-50 03/05/91 The amount of the federal capital gain deduction of an estate or trust added back to state taxable income to obtain Illinois base income does not include any amount that relates to capital gain income for which the estate or trust is entitled to a charitable deduction under the Federal Income Tax Code 642(c).

EXEMPT ORGANIZATIONS

IT 91-32 02/25/91 Partnership income distributed to a partner which is a state agency making investments of state pensions funds, qualifies as a subtraction modification from partnership taxable income pur-

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suant to IITA 203(d)(2)(1). A distribution of partnership income to the international organization does not qualify as a subtraction modification even though some of the income of the international organization may eventually be used for pension purposes.

IT 91-40 01/28/91 Section 205(a) of the IITA provides that an organization that is exempt from federal income taxation under 501(a) [includes 501(c)] of the IRC incurs an Illinois income tax liability only if it has unrelated business taxable income for the taxable year determined under IRC 512.

IT 91-57

03/06/91 205 of the IITA Exempts the income of an organization whose income is exempt from federal income tax by reason of IRC 501(a). An organization whose income is exempt from federal income tax by reason of IRC 501(a), is subject to Illinois income tax only on its unrelated business taxable income as determined under 512 of the IRC.

IT 91-72

03/18/91 205(a) of the IITA exempts from Illinois income tax the income of any organization which is exempt from federal income tax by reason of 501(a) of the IRC.

IT 91-75

03/19/91 It has no unrelated business taxable income under 512 of the IRC. Consequently, it would not be required to file a Form IL-990-T with the Department. Also, because it appears that this organization has no paid employees, it would have no income tax filing requirements with the Department.

EXTENSIONS

IT 91-29

02/19/91 A taxpayer exercising ordinary care and prudence would not have totally disregarded an Illinois filing due date but would have sought an extension of time within which to file.

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FEDERAL RETURNS

- IT 91-39 02/28/91 Discusses the Illinois income taxation of a FSC.
- IT 91-46 03/04/91 Discusses the Illinois tax liability of a Chinese citizen.
- IT 91-81 03/26/91 Discusses the Illinois taxation of a litigation settlement fund.

FOREIGN SALES CORPORATIONS (FSC'S)

- IT 91-39 02/28/91 Discusses the Illinois income taxation of a FSC.

FORMS

- IT 91-24 01/30/91 Questionnaire regarding magnetic media filing of Forms W-2 and voluntary withholding. Withholding is considered required under the provisions of the Internal Revenue Code to the extent the Internal Revenue Code either requires withholding or allows for voluntary withholding and the payor and recipient have entered into such a voluntary withholding agreement. Also, this State itself, allows voluntary withholding.

- IT 91-33 02/26/91 Discusses Form IL-1099-G, Boxes 1 and 6 (Illinois income tax refund).

FRINGE BENEFITS - IRC 125 "CAFETERIA" PLANS

- IT 91-23 01/29/91 If an employee's salary reduction contributions to an IRC 125 cafeteria plan are excludable from the employee's federal adjusted gross income, they are effectively excluded from an employee's Illinois base income. IITA 203(a) does not require an addback of the salary reduction under such a plan. The cafeteria plan also can include federally qualified flexible spending accounts (FSAs).

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- IT 91-27 02/15/91 Questionnaire on "Taxation of Contribution for Cafeteria Plans Benefits for 1990 tax year.
- IT 91-44 03/04/91 Questionnaire concerning employee elective salary reduction contributions to a cafeteria plan or to a cash or deferred plan and the cost of employer-provided group term life insurance in excess of \$50,000.

FRINGE BENEFITS - IRC 401(K) PLANS

- IT 91-44 03/04/91 Questionnaire concerning employee elective salary reduction contributions to a cafeteria plan or to a cash or deferred plan and the cost of employer-provided group term life insurance in excess of \$50,000.

FRINGE BENEFITS - OTHER RULINGS (NOT INCLUDED ABOVE)

- IT 91-44 03/04/91 Questionnaire concerning employee elective salary reduction contributions to a cafeteria plan or to a cash or deferred plan and the cost of employer-provided group term life insurance in excess of \$50,000.

INTEREST INCOME

(Also See Addition Modifications, Subtraction Modifications)

- IT 91-21 01/25/91 Pursuant to IITA 301(c)(2)(A), interest and dividend income from an Illinois irrevocable trust is not allocated to Illinois.

INTEREST ON REFUNDS AND DEFICIENCIES

- IT 91-1 01/02/91 Questionnaire regarding penalties and interest.
- IT 91-8 01/08/91 The interest rate on delinquent withholding taxes for the period January 1, 1991 to June 30, 1991, is 9% per annum.
- IT 91-67 03/18/91 Interest on refunds and Deficiencies: Generally, interest is calculated on the principle

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tax and penalties. However, we have one penalty which itself is an interest charge penalty, i.e. our late payment penalty, and no interest is charged on this penalty. Generally, interest and penalties are itemized on our tax bills. Our general interest rate is 9%. We also have a 24% interest rate charged on underpayments of estimated tax, and we have a penalty interest rate of 6% on late payments of tax. This is in addition to the 9% interest rate. The interest is calculated on a per annum rate and is not compounded.

Generally, the Department does not require prepayment of taxes as a prerequisite to the taxpayer requesting reasonable cause abatement of penalty, however, prepayment is a prerequisite if the taxpayer wishes to obtain an administrative hearing and obtain the right to judicial review regarding reasonable cause.

MILITARY

(Also See Subtraction Modifications)

IT 91-68 03/18/91 Military retirement pay is not subject to Illinois income taxation.

MISCELLANEOUS

IT 91-7 01/07/91 The Income Tax Legal Division does not issue identification numbers. The federal identification numbers are used for Illinois income tax purposes.

IT 91-15 01/22/91 Tax exempt status of organizations is determined by the Internal Revenue Service.

IT 91-19 01/23/91 A member of the Amish Mennonite faith has a duty to obtain a social security number.

IT 91-24 01/30/91 Questionnaire regarding magnetic media filing of Forms W-2 and voluntary withholding. Withholding is considered required under the provisions of the Internal Revenue Code to the extent the Internal Revenue Code either requires withholding or allows for voluntary withholding and the

payor and recipient have entered into such a voluntary withholding agreement. Also, this State itself, allows voluntary withholding.

IT 91-33 02/26/91 Discusses Form IL-1099-G, Boxes 1 and 6 (Illinois income tax refund).

IT 91-47 03/05/91 Questionnaire regarding magnetic media filing and voluntary withholding.

IT 91-48 03/05/91 Request for a copy of the Illinois State Law Ruling, regarding a man and a woman living together, unmarried, with children where the man is the sole supporter.

IT 91-62 03/07/91 Illinois statutes and regulations establish a Board of Appeals which is often petitioned by taxpayers when other remedies are not available.

IT 91-64 03/12/91 The Department cannot provide specific tax information regarding an employer to an employee.

IT 91-66 03/15/91 There is no Illinois statute holding cohabitation to be illegal.

IT 91-69 03/18/91 There is no reciprocal agreement between any taxing authority of the State of Missouri and the Director of Revenue in regard to any exemption from income tax of either state or in regard to exemption from withholding of any state income tax.

A reciprocal agreement with the taxing authorities of the State of Wisconsin exempts from taxation and withholding the compensation earned in Wisconsin by an Illinois resident for work performed in the State of Wisconsin. Illinois also exempts from taxation and withholding compensation earned in Illinois by a Wisconsin resident for work performed in the State of Illinois. The agreement does not apply to compensation paid to an individual who, at the time of payment, is a resident of Illinois but is domiciled in Wisconsin.

IT 91-78 03/21/91 10-17.5 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 10-17.5) permits the

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Department of Public Aid to initiate an action of this kind in an appropriate case. 10.05a of the State Comptroller's Act (ch. 15, par. 210.05a) authorizes the Department of Public Aid to direct the Comptroller to deduct sums due for past support in certain instances.

IT 91-79

03/22/91 Regardless that taxpayer did not transfer to the Receiver a specific withholding account, as an employer taxpayer was obligated pursuant to IITA 705 to deduct, withhold and pay over to the Department of Revenue Illinois income tax from the wages of its employees. As transferee of the assets of the taxpayer, the receiver is liable to the Department for the withholding tax in accordance with IITA 1405.

IT 91-81

03/26/91 Discusses the Illinois taxation of a litigation settlement fund.

NET INCOME (LOSS) AND NET LOSS DEDUCTION (IITA 207)

(Also See Base Income, Capital Gains (Losses), Combined Unitary Return, Net Operating Loss and Net Operating Loss Deduction, Unitary)

IT 91-22

01/28/91 Discusses whether net operating losses of a subsidiary corporation which has been merged into its parent corporation can be utilized by the surviving parent.

IT 91-38

02/27/91 Illinois recognizes and applies the special limitations provided by IRC 382 relative to losses.

IT 91-76

03/20/91 Discusses whether a corporation can be unitized with a separate activity of a second corporation with two activities. Sales factor is computed net of the IRC 243 deduction. Municipal interest income derived from business activities should be part of the sales factor for apportioning base income to Illinois. Current IL-1040-X instructions require an adjustment for federal itemized deductions.

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NET OPERATING LOSS AND NET OPERATING LOSS DEDUCTION

IT 91-22

01/28/91 Discusses whether net operating losses of a subsidiary corporation which has been merged into its parent corporation can be utilized by the surviving parent.

IT 91-38

02/27/91 Illinois recognizes and applies the special limitations provided by IRC 382 relative to losses.

IT 91-70

03/18/91 911(b) allows a claim for refund as the result of a federal change to be made within two years after the date on which notification of change (120 days after final determination) was due. Pursuant to 911(g) IITA, if a claim for refund relates to an NOL carryback, the taxpayer has a period that ends three years after the time prescribed by law for filing the return (including extensions) for the taxable year of the net loss. This three-year period would be in addition to the time allowed by 911(b) following federal change (within two years that notification was due).

PARTNERSHIPS

IT 91-10

01/14/91 There were filing requirements for individuals and partnerships during the years involved. A California partner was deriving source income from Illinois as a partner in a Real Estate Investment Partnership.

IT 91-11

01/15/91 A partnership is required to file an Illinois partnership return if it has base income allocable to this State in accordance with Section 305(c). The fact that a partner resides in Illinois is immaterial.

IT 91-32

02/25/91 Partnership income distributed to a partner which is a state agency making investments of state pensions funds, qualifies as a subtraction modification from partnership taxable income pursuant to IITA 203(d)(2)(1). A distribution of partnership income to the international organization does not qualify as a subtraction modification even though some of the income of the international

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organization may eventually be used for pension purposes.

IT 91-43

03/04/91 Denial of a petition by a partnership in the business of acquiring and holding properties on either freehold or leasehold properties and leasing or sub-leasing the properties to use separate accounting.

PENALTIES - FAILURE TO FILE (IITA 1001)

IT 91-1

01/02/91 Questionnaire regarding penalties and interest.

IT 91-29

02/19/91 A taxpayer exercising ordinary care and prudence would not have totally disregarded an Illinois filing due date but would have sought an extension of time within which to file.

PENALTIES - FAILURE TO PAY (IITA 1002)

IT 91-1

01/02/91 Questionnaire regarding penalties and interest.

PENALTIES - FAILURE TO PAY ESTIMATED TAX (IITA 804)

IT 91-4

01/04/91 A penalty assessed by the Department for underpayment of estimated tax is deemed assessed with the filing of a return. The manner in which a hearing could be obtained in a matter of this kind would be to pay the assessment penalty and file an amended return within a year of payment and claim a refund.

PENALTIES - UNDERPAYMENT OF TAX (IITA 1005)

IT 91-1

01/02/91 Questionnaire regarding penalties and interest.

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PUBLIC LAW 86-272/NEXUS

IT 91-58

03/06/91 Discusses the Illinois income tax liability of a company with a commission sales' agent in Illinois.

IT 91-80

03/22/91 The sale of Company products to customers in Illinois involves a mixture of sales of tangible personal property and sales of services (packaging design), and therefore the immunity of Public Law 86-272 is lost and the Company is subject to taxation by Illinois. The handling of customer claims, credit problems, and collection issues on a routine basis constitutes non-immune activities. Maintaining a stock of goods within the state constitutes non-immune activity.

IT 91-82

03/26/91 Discusses a license agreement involving computer software.

REFUNDS - STATUTE OF LIMITATIONS

(Also See Subtractions Modifications)

IT 91-33

02/26/91 Discusses Form IL-1099-G, Boxes 1 and 6 (Illinois income tax refund).

IT 91-70

03/18/91 911(b) allows a claim for refund as the result of a federal change to be made within two years after the date on which notification of change (120 days after final determination) was due. Pursuant to 911(g) IITA, if a claim for refund relates to an NOL carryback, the taxpayer has a period that ends three years after the time prescribed by law for filing the return (including extensions) for the taxable year of the net loss. This three-year period would be in addition to the time allowed by 911(b) following federal change (within two years that notification was due).

IT 91-73

03/18/91 An amended return to claim a refund is required to be filed not later than three years after the date the return was filed.

IT 91-77

03/21/91 IITA 911(a)(1) requires that a claim for a refund of withholding tax must be filed no later than three years after the 15th day of the fourth

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month following the close of the calendar year in which the withholding was made, or one year after the date the tax was paid, whichever is later.

REFUNDS - OTHER RULINGS (NOT INCLUDED ABOVE)
(Also See Subtraction Modifications)

- IT 91-78 03/21/91 10-17.5 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 10-17.5) permits the Department of Public Aid to initiate an action of this kind in an appropriate case. 10.05a of the State Comptroller's Act (ch. 15, par. 210.05a) authorizes the Department of Public Aid to direct the Comptroller to deduct sums due for past support in certain instances.

RESIDENCY/NONRESIDENCY

- IT 91-34 02/27/91 Discusses the filling requirements of an individual employed in the United States Foreign Service.

RETURNS - REQUIREMENTS TO FILE
(For Combined Unitary Return and Composite Return rulings, see those headings)

- IT 91-34 02/27/91 Discusses the filing requirements of an individual employed in the United States Foreign Service.

SUBTRACTION MODIFICATIONS - INTEREST ON U.S. GOVERNMENT OBLIGATIONS

- IT 91-3 01/02/91 Questionnaire regarding the Illinois tax treatment of municipal bond income.

- IT 91-52 03/05/91 Income received from Illinois Health Facilities Authority 9% Revenue Bonds Series 1980 (the Methodist Medical Center of Illinois Project) is subject to Illinois income tax.

- IT 91-53 03/05/91 The subtraction modification provided by 203(a)(2)(O) of the IITA and the equivalent provisions of 203(b), 203(c) and 203(d) should

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be determined as the gross amount of income earned on U.S. obligations which are exempt from Illinois tax as opposed to an amount which is net of any related expenses. A taxpayer may subtract the gross amount of income earned on U.S. Treasury Obligations rather than an amount which is net of related bond premium amortization expense under IRC 171.

- IT 91-54 03/05/91 The subtraction modification provided by 203(b)(2)(J) of the IITA should be determined as the gross amount of income earned on obligations which are exempt from Illinois tax as opposed to an amount which is net of any related expenses. A taxpayer may subtract the gross amount of income earned on U.S. Treasury Obligations rather than an amount which is net of related bond premium amortization expense under IRC 171.

- IT 91-55 03/05/91 Contact the Illinois Housing Development Authority to determine whether Illinois Housing Development Authority bonds are exempt from Illinois income taxation. Contact the Illinois Development Finance Authority to determine whether Illinois Development Finance Authority bonds are exempt from Illinois income taxation.

- IT 91-59 03/06/91 Discusses interest income exempt from Illinois income taxation.

- IT 91-60 03/06/91 Income from Direct U.S. Government obligations is exempt from Illinois income tax.

- IT 91-61 03/06/91 Income from direct obligations of the United States Government is exempt from Illinois income taxation. U.S. Government guaranteed obligations are not exempt from Illinois income tax because they are secondary obligations.

- IT 91-63 03/12/91 Discusses income exempt from Illinois taxation.

- IT 91-65 03/13/91 In general, interest income from municipal bonds is subject to Illinois income taxation. (For a few exceptions, see Publication 101 (R-1/90). The income tax rate on the interest

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income from municipal bonds depends upon the classification of the taxpayer.

IT 91-71

03/18/91 Interest on Treasury bills, Notes, Bonds and Saving Bonds, Federal Home Loan Bonds and Student Loan Marketing Association bonds is exempt from Illinois income taxation.

SUBTRACTION MODIFICATIONS - QUALIFIED PENSION PLANS

IT 91-9

01/08/91 203(a)(2)(F) of the IITA allows a subtraction from base income of any military retirement pay which is included in the base income of a taxpayer. The effect of this provision is to exclude military retirement pay from the Illinois income tax.

IT 91-49

03/05/91 The Teachers' Retirement Income and the IRA Distribution would not be taxable income to either a resident or nonresident of Illinois. The interest on the DC would not be taxable by Illinois if the interest was received at the time you were a nonresident.

IT 91-56

03/06/91 Money from a qualified/retirement profit sharing plan is not subject to Illinois income tax. Unless you had other income allocated or apportioned to Illinois, you would not be obligated to file an individual income tax return for the year 1990.

IT 91-68

03/18/91 Military retirement pay is not subject to Illinois income taxation.

SUBTRACTION MODIFICATIONS - OTHER RULINGS (NOT INCLUDED ABOVE)

IT 91-28

02/15/91 Illinois municipal bonds currently exempt from Illinois income taxation.

IT 91-32

02/25/91 Partnership income distributed to a partner which is a state agency making investments of state pensions funds, qualifies as a subtraction modification from partnership taxable income pursuant to IITA 203(d)(2)(1). A distribution of partnership income to the international organiza-

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tion does not qualify as a subtraction modification even though some of the income of the international organization may eventually be used for pension purposes.

TRUSTS

IT 91-14

01/22/91 Because the grantor trust is not subject to the Illinois Replacement Tax, the allocated share of S corporation income of the grantor trust may be omitted from line 1 of Part II of the 1990 Form IL-1023-C. Because individual beneficiaries of a grantor type trust are treated as owners of the trust income, these beneficiaries may include their shares of income from the S corporation on line 1 and 3 of Part I of the 1990 Form IL-1023-C.

IT 91-21

01/25/91 Pursuant to IITA 301(c)(2)(A), interest and dividend income from an Illinois irrevocable trust is not allocated to Illinois.

IT 91-50

03/05/91 The amount of the federal capital gain deduction of an estate or trust added back to state taxable income to obtain Illinois base income does not include any amount that relates to capital gain income for which the estate or trust is entitled to a charitable deduction under the Federal Income Tax Code 642(c).

IT 91-81

03/26/91 Discusses the Illinois taxation of a litigation settlement fund.

UNITARY

(Also See Combined Unitary Return)

IT 91-76

03/20/91 Discusses whether a corporation can be unitized with a separate activity of a second corporation with two activities. Sales factor is computed net of the IRC 243 deduction. Municipal interest income derived from business activities should be part of the sales factor for apportioning base income to Illinois. Current IL-1040-X instructions require an adjustment for federal itemized deductions.

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WITHHOLDING - OTHER RULINGS (NOT INCLUDED ABOVE)

- IT 91-5 01/04/91 Discusses the Illinois income tax liabilities of a Colorado resident who is working in Illinois and the Indiana employer.
- IT 91-24 01/30/91 Questionnaire regarding magnetic media filing of Forms W-2 and voluntary withholding. Withholding is considered required under the provisions of the Internal Revenue Code to the extent the Internal Revenue Code either requires withholding or allows for voluntary withholding and the payor and recipient have entered into such a voluntary withholding agreement. Also, this State itself, allows voluntary withholding.
- IT 91-30 02/21/91 If the employer is not required to withhold federal income tax under the IRC or because of an international treaty, it is not required to withhold Illinois income tax.
- IT 91-42 02/28/91 Discusses withholding obligation of a taxpayer corporation with an Illinois employee leasing office space in Illinois.
- IT 91-47 03/05/91 Questionnaire regarding magnetic media filing and voluntary withholding.
- IT 91-69 03/18/91 There is no reciprocal agreement between any taxing authority of the State of Missouri and the Director of Revenue in regard to any exemption from income tax of either state or in regard to exemption from withholding of any state income tax.
- A reciprocal agreement with the taxing authorities of the State of Wisconsin exempts from taxation and withholding the compensation earned in Wisconsin by an Illinois resident for work performed in the State of Wisconsin. Illinois also exempts from taxation and withholding compensation earned in Illinois by a Wisconsin resident for work performed in the State of Illinois. The agreement does not apply to compensation paid to an individual who, at the time of payment, is a resident of Illinois, but is domiciled in Wisconsin.

IT 91-77

03/21/91 IITA 911(a)(1) requires that a claim for a refund of withholding tax must be filed no later than three years after the 15th day of the fourth month following the close of the calendar year in which the withholding was made, or one year after the date the tax was paid, whichever is later.

IT 91-79

03/22/91 Regardless that taxpayer did not transfer to the Receiver a specific withholding account, as an employer taxpayer was obligated pursuant to IITA 705 to deduct, withhold and pay over to the Department of Revenue Illinois income tax from the wages of its employees. As transferee of the assets of the taxpayer, the receiver is liable to the Department for the withholding tax in accordance with IITA 1405.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the week of May 6, 1991 through May 10, 1991, and have been scheduled for review by the Committee at its June, 1991 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its June meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
6/20/91	Department of Public Health, Maternal and Child Health Services Code (77 Ill. Adm. 630)	9/28/90 14 Ill. Reg. 15726	June, 1991
6/20/91	Department of Professional Regulation, The Illinois Landscape Architecture Act of 1989 (68 Ill. Adm. Code 1275)	3/1/91 15 Ill. Reg. 3218	June, 1991
6/24/91	Department of Conservation, Dove Hunting (17 Ill. Adm. Code 730)	3/22/91 15 Ill. Reg. 4200	June, 1991
6/24/91	Department of Conservation, Squirrel Hunting (17 Ill. Adm. Code 690)	3/22/91 15 Ill. Reg. 4214	June, 1991
6/24/91	Department of Rehabilitation Services, Listing of Impairments (89 Ill. Adm. Code 860)	3/1/91 15 Ill. Reg. 3228	June, 1991

PROCLAMATION

91-113
NURSING HOME WEEK
(Revised)

Whereas, the goal of Illinois' nursing facility providers is to administer the finest quality health care for our convalescent, aged, and chronically ill citizens; and Whereas, these nursing facility providers have demonstrated their dedication to the well-being of our citizens by continually striving to upgrade standards of care and service; and Whereas, the rights and dignity of nursing facility residents are at the heart of the care delivered; and Whereas, members of the American Health Care Association and the Imperial C&G are sponsoring National Nursing Home Week May 12-18 to allow home caregivers to visit nursing facilities and benefit from the knowledge and experience of their staff; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 12-18, 1991, as NURSING HOME WEEK in Illinois to express appreciation for the high standards of care these long-term facilities provide for our citizens.

Issued by the Governor May 3, 1991.
Filed with the Secretary of State May 13, 1991.

91-206
HARRIET ROSS DAY
(Revised)

Whereas, Highland Park High School is sponsoring FOCUS ON THE ARTS 1991 to be held April 29 - May 2; and Whereas, FOCUS ON THE ARTS 1991 is a unique program aimed at giving students and the community exposure to visual and performing arts; and Whereas, professional performers from across the national will be attending the program to share their art; and Whereas, Harriet Ross will be honored at FOCUS ON THE ARTS 1991 during Dance Night on May 1; and Whereas, Harriet is a graduate of the Julliard School and New York's School of Performing Arts and is the associate artistic director of Joseph Holmes Chicago Dance Theatre (JHCDF); and Whereas, Harriet has contributed a unique understanding of dance technique as a movement method and vocabulary, making the body an instrument for any kind of dance; and Whereas, Harriet has helped raise JHCDF to its current status as one of the three most important Chicago dance companies; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1, 1991, as HARRIET ROSS DAY in Illinois in recognition of Harriet's exceptional accomplishments in the arts.

Issued by the Governor May 6, 1991.
Filed with the Secretary of State May 13, 1991.

proclaim June 22-23, 1991, as GOVERNOR'S CUP WEEKEND in Illinois and encourage Illinoisans to take part in the activities.

Issued by the Governor May 3, 1991.

Filed with the Secretary of State May 13, 1991.

91-210

MOTORCYCLE AWARENESS MONTH (Revised)

Whereas, a need exists to boost public awareness of the presence of motorcyclists on our roadways; and

Whereas, the Bi-State Motorcycle Awareness Council, comprised of representatives from 12 Eastern Iowa and Western Illinois motorcycle clubs, aims at promoting motorcycle safety; and

Whereas, the council is sponsoring its 7th Annual Motorcycle Awareness Month Proclamation Ride May 4 to promote motorcycle awareness and safety; and

Whereas, the event also aims at raising funds for the Easter Seals Society, an organization that provides assistance for injured motorcyclists;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1991 as MOTORCYCLE AWARENESS MONTH in Illinois and urge citizens to do what they can to contribute to motorcycle safety. I commend the Bi-State Motorcycle Awareness Council on its efforts to build motorcycle awareness.

Issued by the Governor May 6, 1991.

Filed with the Secretary of State May 13, 1991.

91-233

GOVERNOR'S CUP WEEKEND

Whereas, the first-ever Governor's Cup Criterion and Road Race will be held in Springfield June 22-23; and

Whereas, the event is expected to attract more than 500 cyclists from across our nation and will provide exciting entertainment for thousands of spectators; and

Whereas, the majority of racing will be for riders licensed by the United States Cycling Federation, the cycling arm of the U.S. Olympic Committee, but nonlicensed riders will also be given an opportunity to race; and

Whereas, Cycle Sound Service and BikeTek Cycle Shop of Springfield are promoting the event. Race sponsors include Country Companies Insurance, Domino's Pizza, WYMG-FM, the Illinois Soybean Program Operating Board, the Illinois Corn Growers/Illinois Corn Marketing Board, the Illinois Pork Producers, and others; and

Whereas, the event is intended to reflect Illinois' healthful lifestyle by promoting the home-grown goodness of Illinois products and forbidding beer or cigarette sponsors; and

Whereas, the Road Race will take place Saturday, June 22, on an 11-mile course over scenic country roads west of Athens. The Governor's Cup Criterion will be a .9-mile square course around the State Capitol Building Sunday, June 23, 1991;

Therefore, I, Jim Edgar, Governor of the State of Illinois,

91-234

ILLINOIS BELL OPERATOR DAY

Whereas, Illinois Bell is designating May 16 as Operator Day to recognize the outstanding customer service provided by telephone operators throughout the state; and

Whereas, Operator Day is an annual event, initiated by Illinois Bell in 1976 to demonstrate the high esteem in which Illinois Bell operators are held; and

Whereas, Operator Day encourages a sense of pride and promotes a better understanding and appreciation of the services operators provide; and

Whereas, operators should be proud of the progress they have made in keeping pace with a modern and dynamic industry; and

Whereas, the men and women serving as telephone operators provide an essential human component to a vast telecommunications network; and

Whereas, various Illinois Bell locations are planning celebrations and other activities in observance of Operator Day; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 16, 1991, as ILLINOIS BELL OPERATOR DAY in Illinois, recognizing the quality service these men and women give to the citizens of our state.

Issued by the Governor May 3, 1991.

Filed with the Secretary of State May 13, 1991.

91-235

STAY IN SCHOOL MONTH

Whereas, Illinois is committed to providing quality instructional programs, services, and activities so all young people have opportunities to obtain the necessary skills, knowledge, and aptitudes needed for initial employment and access to technology updates and retraining; and

Whereas, students who drop out of school traditionally represent the highest percentage of those who are unemployed; and Whereas, the United States Army Recruiting Command is joining individuals and organizations across the state in recognizing that all citizens have the responsibility to assist and encourage our young people to complete high school; and

Whereas, the United States Army Recruiting Command has targeted the 1990-1991 school year as the time to launch its "Stay in School--Graduate" campaign;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1991 as STAY IN SCHOOL MONTH in Illinois.

Issued by the Governor May 3, 1991.

Filed with the Secretary of State May 13, 1991.

91-236

MATTOON AREA SENIOR CENTER DAY

Whereas, the month of May is traditionally a time to pay tribute to the indomitable spirit and strength of older Americans and to focus public attention on their needs, concerns, and accomplishments; and

Whereas, the Mattoon Area Senior Center will celebrate its 11th anniversary Monday, May 13, 1991; and

Whereas, the Mattoon Area Senior Center is committed to improving the quality of life for residents of all ages in the Mattoon area and providing educational and recreational programs for older adults; and

Whereas, the citizens of Mattoon should respect and value the wisdom, strength, experience, and unlimited potential of the fastest growing segment of our nation's population;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 13, 1991, as MATTOON AREA SENIOR CENTER DAY in Illinois. I urge all Mattoon area residents to join me in this special recognition of the Mattoon Area Senior Center, its participants, staff, and volunteers.

Issued by the Governor May 6, 1991.

Filed with the Secretary of State May 13, 1991.

91-237

POLICE MEMORIAL DAY/NATIONAL POLICE WEEK/
NATIONAL POLICE MEMORIAL DAY

Whereas, police officers, guardians of life, property, and individual liberties, are also known as peace officers; and

Whereas, every six days, a police officer in the United States is killed in the line of duty; and

Whereas, three of the 65 United States police officers killed in the line of duty during 1990 were Illinois police officers;

and

Whereas, these men and women, whose pursuit of justice makes our civilized society operate on a day-to-day basis, deserve our gratitude for the risks they take on our behalf; and

Whereas, it is appropriate that we demonstrate our appreciation of their valor, service, and dedication; and

Whereas, a special memorial ceremony will be held May 9 at our state capitol to honor the police officers who lost their lives in the process of protecting our safety;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 9, 1991, as POLICE MEMORIAL DAY in Illinois. In addition, May 12-18, 1991, has been designated as NATIONAL POLICE WEEK and May 15, 1991, is being recognized as NATIONAL POLICE

MEMORIAL DAY.

Issued by the Governor May 6, 1991.

Filed with the Secretary of State May 13, 1991.

91-238

SALVATION ARMY WEEK

Whereas, founded in 1865, the Salvation Army is an international religious and charitable movement organized and operated on a quasi-military pattern and is a branch of the Christian Church; and

Whereas, its membership includes clergy, laity, members of varied activity groups, and volunteers who serve as advisors, associates, and committed participants in its service functions; and

Whereas, this organization is motivated by the love of God and a practical concern for the needs of humanity, which it expresses through a spiritual ministry that provides for all persons in need who come within its sphere of influence, regardless of race, color, creed, sex or age; and

Whereas, the Salvation Army has been helping the people of our state for more than 100 years; and

Whereas, the Salvation Army serves our communities through its 65 corps units, 70 corps community centers, more than 500 service units, emergency shelters, and day care centers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 13-19, 1991, as SALVATION ARMY WEEK in Illinois.

Issued by the Governor May 6, 1991.

Filed with the Secretary of State May 13, 1991.

91-239

TAKE PRIDE IN AMERICA MONTH

Whereas, America is blessed with outstanding natural, cultural, and historical resources on federal, state, and local lands; and

Whereas, America is blessed with outstanding human resources--citizens with a unique volunteer spirit rooted in our frontier tradition; and

Whereas, this country's recreational and cultural resources contribute to the economic and social well-being of our communities; and

Whereas, the future of America's great monuments to history, as well as the vast treasury of natural wonders, depends on the commitment of the American people to whom they belong; and

Whereas, the Take Pride in America campaign is a partnership of federal agencies, states, communities, and private organizations committed to the wise use of public resources; and

Whereas, a national Take Pride in America month has been established to focus attention on public resources and the

concerned citizens involved in the care of these resources; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1991 as TAKE PRIDE IN AMERICA MONTH in Illinois and call upon citizens to take part in this important effort. Together we will promote the wise use of this magnificent land--now and for future generations.
 Issued by the Governor May 6, 1991.
 Filed with the Secretary of State May 13, 1991.

91-240

DR. ABRAHAM A. LOW DAY

Whereas, Abraham A. Low, M.D. was a pioneer in self-help and group therapy for mental patients and chronic sufferers of nervous and/or mental disorders,
 Whereas, Dr. Low was also a pioneer in bringing family members into an individual's healing process; and
 Whereas, Dr. Low distinguished himself in his efforts to emancipate the patient from the stigma associated with mental health disorders; and
 Whereas, Dr. Low founded the first self-help mental health organization, Recovery, Inc. in 1937; and
 Whereas, Dr. Low's legacy of self-help has brought health to tens of thousands of individuals and continues to help people in the United States, Canada, Puerto Rico, Israel, Great Britain, and Ireland; and
 Whereas, Recovery, Inc. has had groups helping people in Illinois for more than 30 years;
 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 16, 1991, as DR. ABRAHAM A. LOW DAY in Illinois.
 Issued by the Governor May 8, 1991.
 Filed with the Secretary of State May 13, 1991.

91-241

HISTORIC PRESERVATION WEEK

Whereas, our state has a great prehistoric and historic heritage; and
 Whereas, this year marks the 25th anniversary of the National Historic Preservation Act of 1966 that established the federal preservation program in cooperation with the states; and
 Whereas, the Illinois Historic Preservation Agency has proudly participated in this program and can now point to more than 1,000 sites listed in the National Register of Historic Places and 18 local governments with certified preservation programs; and
 Whereas, May 12-19 has been declared National Historic Preservation Week;
 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 12-19, 1991, as HISTORIC PRESERVATION WEEK in

Illinois.

Issued by the Governor May 8, 1991.
 Filed with the Secretary of State May 13, 1991.

91-242

TEACHER APPRECIATION WEEK/TEACHER APPRECIATION DAY

Whereas, Illinois teachers have demonstrated dedicated service to their students and a strong commitment to the teaching profession; and
 Whereas, citizens and youths alike have benefited greatly from the personal contributions of these teachers; and
 Whereas, teachers at every grade level face unique challenges in their profession and should be commended for the exemplary fulfillment of their responsibilities;
 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 12-18, 1991, as TEACHER APPRECIATION WEEK and May 14, 1991, as TEACHER APPRECIATION DAY in Illinois, recognizing the efforts of our children's educators.
 Issued by the Governor May 8, 1991.
 Filed with the Secretary of State May 13, 1991.

91-243

GREEK HERITAGE WEEK

Whereas, the legacy of ancient Greek democratic thought served as a guide for our nation's founders more than 200 years ago as they created our governmental system; and
 Whereas, our traditional values, such as devotion to family and work, are embodied in the accomplishments of our Greek-American citizens; and
 Whereas, the influence of Greece, both ancient and modern, is especially important to our state where more than 300,000 citizens of Greek ancestry help enrich and strengthen life in our communities; and
 Whereas, 1991 marks the 170th Anniversary of Greek Independence;
 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 5-11, 1991, as GREEK HERITAGE WEEK in Illinois and encourage citizens to take part in appropriate ceremonies and activities to celebrate the observation.
 Issued by the Governor May 9, 1991.
 Filed with the Secretary of State May 13, 1991.

91-244

JOE DIMAGGIO DAY

Whereas, as long as the game of baseball is played, the name Joe Dimaggio will conjure up images of greatness for people of

all ages; and

Whereas, 50 years have passed since the summer of 1941, when Joe DiMaggio captured the attention of a nation on the brink of war; and

Whereas, his 56-game hitting streak is still considered by many as the greatest single accomplishment in the history of baseball; and

Whereas, Joe DiMaggio is being honored by the National Italian American Sports Hall of Fame with the unveiling of a bronze statue of his likeness, forever securing his place in the hearts of baseball fans throughout Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim Saturday, May 18, 1991, as JOE DIMAGGIO DAY in Illinois and salute the National Italian American Sports Hall of Fame for its effort to honor one of baseball's greatest heroes -- Joseph Paul DiMaggio.

Issued by the Governor May 9, 1991.

Filed with the Secretary of State May 13, 1991.

91-245

MANUFACTURED HOUSING DAYS

Whereas, the manufactured housing industry has accomplished the task of manufacturing energy-efficient, spacious, well-constructed and comfortable homes; and

Whereas, manufactured housing provides permanent housing for more than 243,000 Illinois residents from all age groups and walks of life; and

Whereas, as an integral part of the housing needs of the state, the Illinois Manufactured Housing Association continues to focus the attention of consumers and local and state governments on the pioneering efforts of the manufactured housing industry and desirability of home ownership during May;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 11-19, 1991, as MANUFACTURED HOUSING DAYS in Illinois, and I encourage the furtherance of innovative housing concepts for the benefit and comfort of our citizens.

Issued by the Governor May 9, 1991.

Filed with the Secretary of State May 13, 1991.

91-246

YMCA VOLUNTEER RECOGNITION DAY

Whereas, throughout our state and our nation, volunteers donate their time and talents to people and organizations that would not otherwise receive help; and

Whereas, Illinois cannot depend on government alone to solve all of its societal problems; and

Whereas, volunteerism is increasingly recognized as an important partner with government and industry in doing the work

of the nation; and

Whereas, the active involvement of citizens in Illinois is needed today more than ever to combat growing human and social problems, to renew our belief that these problems can be solved, and to strengthen our sense of community; and

Whereas, volunteering offers all citizens - young and old - the opportunity to participate in the life of their community and lend their talents and resources to address some of the major issues facing our state; and

Whereas, YMCA volunteers are among those individuals who should be honored for the time, care, and skills they donate to the communities of our state;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 9, 1991, as YMCA VOLUNTEER RECOGNITION DAY in Illinois and urge all citizens to take pride in their volunteer heritage and give special recognition to the volunteers and volunteer programs in the communities of our state.

Issued by the Governor May 9, 1991.

Filed with the Secretary of State May 13, 1991.

ACTION CODES

JCAR - Joint Committee on Administrative Rules

- A - Adopted Rule
 AR - Adopted Repealer
 C - Notice of Corrections
 CC - Codification Changes
 E - Emergency Rule
 ER - Emergency Repealer
 M - Modification to meet JCAR objections
 O - JCAR Statement of Objections
 P - Proposed Rule
 PF - Prohibited Filing Order, as by JCAR
 PP - Peremptory or Court ordered Rules
 PR - Proposed Repealer
 R - Refusal to meet JCAR objection
 RC - Statement of Recommendation
 S - Suspension ordered by JCAR
 W - Withdrawal to meet JCAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

TITLE ————— PART ————— ACTION CODE ————— PAGE NUMBER ————— AGE NUMBER
 8 Ill. Adm. Code 285 Ill. Grain Insurance Act (P-18048/85; A-6818) ————— ACTION CODE
 PREVIOUS VOLUME

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION: ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 82-9786.

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 8 Ill. Adm. Code 270 Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds (P-10965/90; A-455)
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The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-857/89; A-724) The codes for both columns are listed below. For a complete listing of the Titles of the Illinois Administrative Code, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= reclassified	F	= Failure to Remedy Objections
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
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2650.11.B	n	(A-2660)	n
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125.10	am	(PP-620; W-1574) (P-1583)	am
125.30	am	(PP-620; W-1574) (P-1583)	am
125.40	am	(PP-620; W-1574) (P-1583)	am
125.50	am	(PP-620; W-1574) (P-1583)	am
125.60	am	(PP-620; W-1574) (P-1583)	am
125.70	am	(PP-620; W-1574) (P-1583)	am
125.80	am	(PP-620; W-1574) (P-1583)	am
125.90	am	(PP-620; W-1574) (P-1583)	am
125.100	am	(PP-620; W-1574) (P-1583)	am
125.110	am	(PP-620; W-1574) (P-1583)	am
125.120	am	(PP-620; W-1574) (P-1583)	am
125.130	am	(PP-620; W-1574) (P-1583)	am
125.140	am	(PP-620; W-1574) (P-1583)	am
125.150	am	(PP-620; W-1574) (P-1583)	am
125.160	am	(PP-620; W-1574) (P-1583)	am
125.170	am	(PP-620; W-1574) (P-1583)	am
125.180	am	(PP-620; W-1574) (P-1583)	am
125.190	am	(PP-620; W-1574) (P-1583)	am
125.200	am	(PP-620; W-1574) (P-1583)	am
125.210	am	(PP-620; W-1574) (P-1583)	am
125.220	am	(PP-620; W-1574) (P-1583)	am
125.230	am	(PP-620; W-1574) (P-1583)	am
125.240	am	(PP-620; W-1574) (P-1583)	am
125.250	am	(PP-620; W-1574) (P-1583)	am
125.260	am	(PP-620; W-1574) (P-1583)	am
125.270	am	(PP-620; W-1574) (P-1583)	am
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125.320	am	(PP-620; W-1574) (P-1583)	am
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125.380	am	(PP-620; W-1574) (P-1583)	am
125.400	am	(PP-620; W-1574) (P-1583)	am
125.410	am	(PP-620; W-1574) (P-1583)	am
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418.100	r	(P-6988)	r
419.90	r	(P-6985)	r
421.40	am	(P-6976)	am
421.100	n	(P-19699/90; A-5752)	n
433.35	am	(P-12393/90; A-2736)	am
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438.80	r	(P-6982)	r
438.90	am	(P-5012)	am
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700.140	am	(A-6105)	am
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2025.120	n	(A-7897)	n
2375.110	am	(A-1571)	am
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2650.40	n	(A-2660)	n
2650.50	n	(A-2660)	n
2650.60	n	(A-2660)	n
2650.100	n	(A-2660)	n
2650.200	n	(A-2660)	n
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TITLE 11		TITLE 14	
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416.80	r	(P-12389/90; A-2733)	r
417.80	r	(P-6979)	r
418.100	r	(P-6988)	r
419.90	r	(P-6985)	r
421.40	am	(P-6976)	am
421.100	n	(P-19699/90; A-5752)	n
433.35	am	(P-12393/90; A-2736)	am
438.30	am	(P-5012)	am
438.80	r	(P-6982)	r
438.90	am	(P-5012)	am
440.10	n	(P-8975/90; A-3492)	n

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640.230	n	(P-13391/90; A-7558)
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758.30	am	(P-16182/90; A-1495)
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766.30	am	(P-16182/90; A-1495)
767.30	am	(P-16182/90; A-1495)
768.30	am	(P-16182/90; A-1495)
769.30	am	(P-16182/90; A-1495)
770.30	am	(P-16182/90; A-1495)
771.30	am	(P-16182/90; A-1495)
772.30	am	(P-16182/90; A-1495)
773.30	am	(P-16182/90; A-1495)
774.30	am	(P-16182/90; A-1495)
775.30	am	(P-16182/90; A-1495)
776.30	am	(P-16182/90; A-1495)
777.30	am	(P-16182/90; A-1495)
778.30	am	(P-16182/90; A-1495)

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331.210	(P-15672/90; A-90)	n	218.101	(P-3675)	n	218.923	(P-3675)	n
331.310	(P-15672/90; A-90)	n	218.102	(P-3675)	n	218.926	(P-3675)	n
331.Ap.B	(P-15672/90; A-90)	n	218.103	(P-3675)	n	218.927	(P-3675)	n
331.Ap.C	(P-15672/90; A-90)	n	218.104	(P-3675)	n	218.928	(P-3675)	n
360.20	(P-6940/90; A-6180)	n	218.105	(P-3675)	n	218.940	(P-3675)	n
360.30	(P-6940/90; A-6180)	n	218.106	(P-3675)	n	218.943	(P-3675)	n
360.40	(P-6940/90; A-6180)	n	218.107	(P-3675)	n	218.946	(P-3675)	n
360.60	(P-6940/90; A-6180)	n	218.108	(P-3675)	n	218.947	(P-3675)	n
360.70	(P-6940/90; A-6180)	n	218.109	(P-3675)	n	218.948	(P-3675)	n
360.70	(P-6940/90; A-6180)	n	218.110	(P-3675)	n	218.960	(P-3675)	n
360.71	(P-6940/90; A-6180)	n	218.111	(P-3675)	n	218.963	(P-3675)	n
360.Ap.A	(P-6940/90; A-6180)	n	218.112	(P-3675)	n	218.966	(P-3675)	n
360.H. A	(P-6940/90; A-6180)	n	218.121	(P-3675)	n	218.967	(P-3675)	n
360.H. B	(P-6940/90; A-6180)	n	218.122	(P-3675)	n	218.968	(P-3675)	n
360.Tb. C	(P-6940/90; A-6180)	n	218.123	(P-3675)	n	218.980	(P-3675)	n
401.20	(P-1390; A-7054)	n	218.124	(P-3675)	n	218.983	(P-3675)	n
401.30	(P-1390; A-7054)	n	218.125	(P-3675)	n	218.986	(P-3675)	n
401.40	(P-1390; A-7054)	n	218.126	(P-3675)	n	218.987	(P-3675)	n
401.50	(P-1390; A-7054)	n	218.141	(P-3675)	n	218.988	(P-3675)	n
401.60	(P-1390; A-7054)	n	218.142	(P-3675)	n	218.990	(P-3675)	n
401.70	(P-1390; A-7054)	n	218.143	(P-3675)	n	218.991	(P-3675)	n
401.80	(P-1390; A-7054)	n	218.144	(P-3675)	n	218.Ap. A	(P-3675)	n
401.100	(P-1390; A-7054)	n	218.181	(P-3675)	n	218.Ap. B	(P-3675)	n
401.110	(P-1390; A-7054)	n	218.182	(P-3675)	n	218.Ap. C	(P-3675)	n
401.130	(P-1390; A-7054)	n	218.183	(P-3675)	n	218.Ap. D	(P-3675)	n
401.140	(P-1390; A-7054)	n	218.184	(P-3675)	n	219.100	(P-3892)	n
401.Ap.A	(P-1390; A-7054)	n	218.185	(P-3675)	n	219.101	(P-3892)	n
401.Ap.B	(P-1390; A-7054)	n	218.186	(P-3675)	n	219.102	(P-3892)	n

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201.401	(P-780)	n	218.206	(P-3675)	n	219.105	(P-3892)	n
211.122	(P-4573) (P-12697/90; A-5223)	n	218.207	(P-3675)	n	219.106	(P-3892)	n
212.110	(P-4668) (P-8416/90; A-7901)	n	218.208	(P-3675)	n	219.107	(P-3892)	n
212.111	(P-4668)	n	218.209	(P-3675)	n	219.108	(P-3892)	n
212.205	(P-791)	n	218.210	(P-3675)	n	219.109	(P-3892)	n
212.423	(P-4668)	n	218.211	(P-3675)	n	219.110	(P-3892)	n
212.424	(P-4668)	n	218.301	(P-3675)	n	219.111	(P-3892)	n
212.443	(P-791)	n	218.302	(P-3675)	n	219.112	(P-3892)	n
214.101	(P-11098/90; A-1017)	n	218.401	(P-3675)	n	219.121	(P-3892)	n
214.104	(P-11098/90; A-1017)	n	218.402	(P-3675)	n	219.122	(P-3892)	n
215.100	(P-3659)	n	218.403	(P-3675)	n	219.123	(P-3892)	n
215.102	(P-8877/90; A-8018)	n	218.404	(P-3675)	n	219.124	(P-3892)	n
215.105	(P-8877/90; A-8018)	n	218.405	(P-3675)	n	219.125	(P-3892)	n
215.108	(P-6414) (P-8877/90; A-8018)	n	218.421	(P-3675)	n	219.127	(P-3892)	n
215.123	(P-768)	n	218.422	(P-3675)	n	219.128	(P-3892)	n
215.480	(P-8877/90; A-8018)	n	218.423	(P-3675)	n	219.141	(P-3892)	n
215.481	(P-8877/90; A-8018)	n	218.424	(P-3675)	n	219.142	(P-3892)	n
215.482	(P-8877/90; A-8018)	n	218.425	(P-3675)	n	219.143	(P-3892)	n
215.483	(P-8877/90; A-8018)	n	218.426	(P-3675)	n	219.144	(P-3892)	n
215.484	(P-8877/90; A-8018)	n	218.427	(P-3675)	n	219.181	(P-3892)	n
215.485	(P-8877/90; A-8018)	n	218.428	(P-3675)	n	219.182	(P-3892)	n
215.486	(P-8877/90; A-8018)	n	218.429	(P-3675)	n	219.183	(P-3892)	n
215.487	(P-8877/90; A-8018)	n	218.430	(P-3675)	n	219.184	(P-3892)	n
215.488	(P-8877/90; A-8018)	n	218.441	(P-3675)	n	219.185	(P-3892)	n
215.489	(P-8877/90; A-8018)	n	218.442	(P-3675)	n	219.186	(P-3892)	n
215.489	(P-8877/90; A-8018)	n	218.443	(P-3675)	n	219.204	(P-3892)	n
215.490	(P-8877/90; A-8018)	n	218.444	(P-3675)	n	219.205	(P-3892)	n
215.581	(P-8877/90; A-8018)	n	218.445	(P-3675)	n	219.206	(P-3892)	n
215.585	(P-3659)	n	218.446	(P-3675)	n	219.207	(P-3892)	n
	(P-12701/90; A-3309)	n	218.447	(P-3675)	n	219.208	(P-3892)	n
		n	218.448	(P-3675)	n	219.209	(P-3892)	n
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219.250	(P-730)	r	231.250	(P-730)	r
219.260	(P-730)	r	231.260	(P-730)	r
219.320	(P-730)	r	231.320	(P-730)	r
219.330	(P-730)	r	231.330	(P-730)	r
219.340	(P-730)	r	231.340	(P-730)	r
219.350	(P-730)	r	231.350	(P-730)	r
219.360	(P-730)	r	231.360	(P-730)	r
219.370	(P-730)	r	231.370	(P-730)	r
219.380	(P-730)	r	231.380	(P-730)	r
219.390	(P-730)	r	231.390	(P-730)	r
219.400	(P-730)	r	231.400	(P-730)	r
219.410	(P-730)	r	231.410	(P-730)	r
219.420	(P-730)	r	231.420	(P-730)	r
219.430	(P-730)	r	231.430	(P-730)	r
219.440	(P-730)	r	231.440	(P-730)	r
219.450	(P-730)	r	231.450	(P-730)	r
219.460	(P-730)	r	231.460	(P-730)	r
219.470	(P-730)	r	231.470	(P-730)	r
219.480	(P-730)	r	231.480	(P-730)	r
219.490	(P-730)	r	231.490	(P-730)	r
219.500	(P-730)	r	231.500	(P-730)	r
219.510	(P-730)	r	231.510	(P-730)	r
219.520	(P-730)	r	231.520	(P-730)	r
219.530	(P-730)	r	231.530	(P-730)	r
219.540	(P-730)	r	231.540	(P-730)	r
219.550	(P-730)	r	231.550	(P-730)	r
219.560	(P-730)	r	231.560	(P-730)	r
219.570	(P-730)	r	231.570	(P-730)	r
219.580	(P-730)	r	231.580	(P-730)	r
219.590	(P-730)	r	231.590	(P-730)	r
219.600	(P-730)	r	231.600	(P-730)	r
219.610	(P-730)	r	231.610	(P-730)	r
219.620	(P-730)	r	231.620	(P-730)	r
219.630	(P-730)	r	231.630	(P-730)	r
219.640	(P-730)	r	231.640	(P-730)	r
219.650	(P-730)	r	231.650	(P-730)	r
219.660	(P-730)	r	231.660	(P-730)	r
219.670	(P-730)	r	231.670	(P-730)	r
219.680	(P-730)	r	231.680	(P-730)	r
219.690	(P-730)	r	231.690	(P-730)	r
219.700	(P-730)	r	231.700	(P-730)	r
219.710	(P-730)	r	231.710	(P-730)	r
219.720	(P-730)	r	231.720	(P-730)	r
219.730	(P-730)	r	231.730	(P-730)	r
219.740	(P-730)	r	231.740	(P-730)	r
219.750	(P-730)	r	231.750	(P-730)	r
219.760	(P-730)	r	231.760	(P-730)	r
219.770	(P-730)	r	231.770	(P-730)	r
219.780	(P-730)	r	231.780	(P-730)	r
219.790	(P-730)	r	231.790	(P-730)	r
219.800	(P-730)	r	231.800	(P-730)	r
219.810	(P-730)	r	231.810	(P-730)	r
219.820	(P-730)	r	231.820	(P-730)	r
219.830	(P-730)	r	231.830	(P-730)	r
219.840	(P-730)	r	231.840	(P-730)	r
219.850	(P-730)	r	231.850	(P-730)	r
219.860	(P-730)	r	231.860	(P-730)	r
219.870	(P-730)	r	231.870	(P-730)	r
219.880	(P-730)	r	231.880	(P-730)	r
219.890	(P-730)	r	231.890	(P-730)	r
219.900	(P-730)	r	231.900	(P-730)	r
219.910	(P-730)	r	231.910	(P-730)	r
219.920	(P-730)	r	231.920	(P-730)	r
219.930	(P-730)	r	231.930	(P-730)	r
219.940	(P-730)	r	231.940	(P-730)	r
219.950	(P-730)	r	231.950	(P-730)	r
219.960	(P-730)	r	231.960	(P-730)	r
219.970	(P-730)	r	231.970	(P-730)	r
219.980	(P-730)	r	231.980	(P-730)	r
219.990	(P-730)	r	231.990	(P-730)	r
219.1000	(P-730)	r	231.1000	(P-730)	r
219.1001	(P-730)	r	231.1001	(P-730)	r
219.1002	(P-730)	r	231.1002	(P-730)	r
219.1003	(P-730)	r	231.1003	(P-730)	r
219.1004	(P-730)	r	231.1004	(P-730)	r
219.1005	(P-730)	r	231.1005	(P-730)	r
219.1006	(P-730)	r	231.1006	(P-730)	r
219.1007	(P-730)	r	231.1007	(P-730)	r
219.1008	(P-730)	r	231.1008	(P-730)	r
219.1009	(P-730)	r	231.1009	(P-730)	r
219.1010	(P-730)	r	231.1010	(P-730)	r
219.1011	(P-730)	r	231.1011	(P-730)	r
219.1012	(P-730)	r	231.1012	(P-730)	r
219.1013	(P-730)	r	231.1013	(P-730)	r
219.1014	(P-730)	r	231.1014	(P-730)	r
219.1015	(P-730)	r	231.1015	(P-730)	r
219.1016	(P-730)	r	231.1016	(P-730)	r
219.1017	(P-730)	r	231.1017	(P-730)	r
219.1018	(P-730)	r	231.1018	(P-730)	r
219.1019	(P-730)	r	231.1019	(P-730)	r
219.1020	(P-730)	r	231.1020	(P-730)	r
219.1021	(P-730)	r	231.1021	(P-730)	r
219.1022	(P-730)	r	231.1022	(P-730)	r
219.1023	(P-730)	r	231.1023	(P-730)	r
219.1024	(P-730)	r	231.1024	(P-730)	r
219.1025	(P-730)	r	231.1025	(P-730)	r
219.1026	(P-730)	r	231.1026	(P-730)	r
219.1027	(P-730)	r	231.1027	(P-730)	r
219.1028	(P-730)	r	231.1028	(P-730)	r
219.1029	(P-730)	r	231.1029	(P-730)	r
219.1030	(P-730)	r	231.1030	(P-730)	r
219.1031	(P-730)	r	231.1031	(P-730)	r
219.1032	(P-730)	r	231.1032	(P-730)	r
219.1033	(P-730)	r	231.1033	(P-730)	r
219.1034	(P-730)	r	231.1034	(P-730)	r
219.1035	(P-730)	r	231.1035	(P-730)	r
219.1036	(P-730)	r	231.1036	(P-730)	r
219.1037	(P-730)	r	231.1037	(P-730)	r
219.1038	(P-730)	r	231.1038	(P-730)	r
219.1039	(P-730)	r	231.1039	(P-730)	r
219.1040	(P-730)	r	231.1040	(P-730)	r
219.1041	(P-730)	r	231.1041	(P-730)	r
219.1042	(P-730)	r	231.1042	(P-730)	r
219.1043	(P-730)	r	231.1043	(P-730)	r
219.1044	(P-730)	r	231.1044	(P-730)	r
219.1045	(P-730)	r	231.1045	(P-730)	r
219.1046	(P-730)	r	231.1046	(P-730)	r
219.1047	(P-730)	r	231.1047	(P-730)	r
219.1048	(P-730)	r	231.1048	(P-730)	r
219.1049	(P-730)	r	231.1049	(P-730)	r
219.1050	(P-730)	r	231.1050	(P-730)	r
219.1051	(P-730)	r	231.1051	(P-730)	r
219.1052	(P-730)	r	231.1052	(P-730)	r
219.1053	(P-730)	r	231.1053	(P-730)	r
219.1054	(P-730)	r	231.1054	(P-730)	r
219.1055	(P-730)	r	231.1055	(P-730)	r
219.1056	(P-730)	r	231.1056	(P-730)	r
219.1057	(P-730)	r	231.1057	(P-730)	r
219.1058	(P-730)	r	231.1058	(P-730)	r
219.1059	(P-730)	r	231.1059	(P-730)	r
219.1060	(P-730)	r	231.1060	(P-730)	r
219.1061	(P-730)	r	231.1061	(P-730)	r
219.1062	(P-730)	r	231.1062	(P-730)	r
219.1063	(P-730)	r	231.1063	(P-730)	r
219.1064	(P-730)	r	231.1064	(P-730)	r
219.1065	(P-730)	r	231.1065	(P-730)	r
219.1066	(P-730)	r	231.1066	(P-730)	r
219.1067	(P-730)	r	231.1067	(P-730)	r
219.1068	(P-730)	r	231.1068	(P-730)	r
219.1069	(P-730)	r	231.1069	(P-730)	r
219.1070	(P-730)	r	231.1070	(P-730)	r
219.1071	(P-730)	r	231.1071	(P-730)	r
219.1072	(P-730)	r	231.1072	(P-730)	r
219.1073	(P-730)	r	231.1073	(P-730)	r
219.1074	(P-730)	r	231.1074	(P-730)	r
219.1075	(P-730)	r	231.1075	(P-730)	r
219.1076	(P-730)	r	231.1076	(P-730)	r
219.1077	(P-730)	r	231.1077	(P-730)	r
219.1078	(P-730)	r	231.1078	(P-730)	r
219.1079	(P-730)	r	231.1079	(P-730)	r
219.1080	(P-730)	r	231.1080	(P-730)	r
219.1081	(P-730)	r	231.1081	(P-730)	r
219.1082	(P-730)	r	231.1082	(P-730)	r
219.1083	(P-730)	r	231.1083	(P-730)	r
219.1084	(P-730)	r	231.1084	(P-730)	r
219.1085	(P-730)	r	231.1085	(P-730)	r
219.1086	(P-730)	r	231.1086	(P-730)	r
219.1087	(P-730)	r	231.1087	(P-730)	r
219.1088	(P-730)	r	231.1088	(P-730)	r
219.1089	(P-730)	r	231.1089	(P-730)	r
219.1090	(P-730)	r	231.1090	(P-730)	r
219.1091	(P-730)	r	231.1091	(P-730)	r
219.1092	(P-730)	r	231.1092	(P-730)	r
219.1093	(P-730)	r	231.1093	(P-730)	r
219.1094	(P-730)	r	231.1094	(P-730)	r
219.1095	(P-730)	r	231.1095	(P-730)	r
219.1096	(P-730)	r	231.1096	(P-730)	r
219.1097	(P-730)	r	231.1097	(P-730)	r
219.1098	(P-730)	r	231.1098	(P-730)	r
219.1099	(P-730)	r	231.1099	(P-730)	r
219.1100	(P-730)	r	231.1100	(P-730)	r
219.1101	(P-730)	r	231.1101	(P-730)	r
219.1102	(P-730)	r	231.1102	(P-730)	r
219.1103	(P-730)	r	231.1103	(P-730)	r
219.1104	(P-730)	r	231.1104	(P-730)	r
219.1105	(P-730)	r	231.1105	(P-730)	r
219.1106	(P-730)	r	231.1106	(P-730)	r
219.1107	(P-730)	r	231.1107	(P-730)	r
219.1108	(P-730)	r	231.1108	(P-730)	r
219.1109	(P-730)	r	231.1109	(P-730)	r
219.1110	(P-730)	r	231.1110	(P-730)	r
219.1111	(P-730)	r	231.1111	(P-730)	r
219.1112	(P-730)	r	231.1112	(P-730)	r
219.1113	(P-730)	r	231.1113	(P-730)	r
219.1114	(P-730)	r	231.1114	(P-730)	r
219.1115	(P-730)	r	231.1115	(P-730)	r
219.1116	(P-730)	r	231.1116	(P-730)	r
219.1117	(P-730)	r	231.1117	(P-730)	r
219.1118	(P-730)	r	231.1118	(P-730)	r
219.1119	(P-730)	r	231.1119	(P-730)	r
219.1120	(P-730)	r	231.1120	(P-730)	r
219.1121	(P-730)	r	231.1121	(P-730)	r
219.1122	(P-730)	r	231.1122	(P-730)	r
219.1123	(P-730)	r	231.1123	(P-730)	r
219.1124	(P-730)	r	231.1124	(P-730)	r
219.1125	(P-730)	r	231.1125	(P-730)	r
219.1126	(P-730)	r	231.1126	(P-730)	r
219.1127	(P-730)	r	231.1127	(P-730)	r
219.1128	(P-730)	r	231.1128	(P-730)	r
219.1129	(P-730)	r	231.1129	(P-730)	r
219.1130	(P-730)	r	231.1130	(P-730)	r
219.1131	(P-730)	r	231.1131	(P-730)	r
219.1132	(P-730)	r	231.1132	(P-730)	r
219.1133	(P-730)	r	231.1133	(P-730)	r
219.1134	(P-730)	r	231.1134	(P-730)	r</

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720.110	am	(P-5980)	725.113	am	(P-2145)
720.111	am	(P-2066) (P-5980) (P-13925/90; A-7934)	725.115	am	(P-2145)
721.104	am	(P-2075) (P-6001)	725.177	am	(P-2145)
721.106	am	(P-2075)	725.290	am	(P-6043)
721.110	am	(P-13938/90; A-7950)	725.329	am	(P-2145)
721.111	am	(P-2075) (P-13938/90; A-7950)	725.356	am	(P-2145)
721.120	am	(P-2075) (P-13925/90; A-7934)	725.412	am	(P-2145)
721.121	am	(P-2075)	725.416	am	(P-2145)
721.122	am	(P-2075) (P-13925/90; A-7934)	725.540	n	(P-6043)
721.123	am	(P-2075)	725.541	n	(P-6043)
721.124	am	(P-2075)	725.542	n	(P-6043)
721.131	am	(P-2075) (P-6001)	725.543	n	(P-6043)
721.132	am	(P-2075)	725.544	n	(P-6043)
721.133	am	(P-2075)	725.545	n	(P-6043)
721.135	n	(P-6001)	725.930	n	(P-2145)
721.Ap. C	am	(P-2075) (P-6001)	725.931	n	(P-2145)
721.Ap. G	am	(P-2075) (P-6001)	725.932	n	(P-2145)
721.Ap. H	am	(P-2075) (P-6001)	725.933	n	(P-2145)
722.111	am	(P-2404) (P-6066)	725.934	n	(P-2145)
722.134	am	(P-2404) (P-6066)	725.935	n	(P-2145)
724.113	am	(P-2414)	725.950	n	(P-2145)
724.115	am	(P-2414)	725.951	n	(P-2145)
724.173	am	(P-2414)	725.952	n	(P-2145)
724.177	am	(P-2414)	725.953	n	(P-2145)
724.290	am	(P-6073)	725.954	n	(P-2145)
724.321	am	(P-2414)	725.955	n	(P-2145)
724.329	am	(P-2414)	725.956	n	(P-2145)
724.356	am	(P-2414)	725.957	n	(P-2145)
724.381	am	(P-2414)	725.958	n	(P-2145)
724.401	am	(P-2414)	725.959	n	(P-2145)
724.412	am	(P-2414)	725.960	n	(P-2145)
724.416	am	(P-2414)	725.961	n	(P-2145)
724.670	am	(P-6073)	725.962	n	(P-2145)
724.671	am	(P-6073)	725.963	n	(P-2145)
724.672	am	(P-6073)	725.964	n	(P-2145)
724.673	am	(P-6073)	726.132	r	(P-24870)
724.674	am	(P-6073)	728.101	am	(P-2209)
724.675	am	(P-6073)	728.102	am	(P-2209)
724.930	am	(P-2414)	728.103	am	(P-2209)
724.931	n	(P-2414)	728.105	am	(P-2209)
724.932	n	(P-2414)	728.107	am	(P-2209)
724.933	n	(P-2414)	728.108	r	(P-2209)
724.934	n	(P-2414)	728.109	n	(P-2209)
724.935	n	(P-2414)	728.135	n	(P-2209)
724.936	n	(P-2414)	728.140	am	(P-2209)
724.950	n	(P-2414)	728.141	am	(P-2209)
724.951	n	(P-2414)	728.142	am	(P-2209)
724.952	n	(P-2414)	728.143	am	(P-2209)
724.953	n	(P-2414)	728.Ap.D	n	(P-2209)
724.954	n	(P-2414)	728.Ap.E	n	(P-2209)
724.955	n	(P-2414)	728.Ap.F	n	(P-2209)
724.956	n	(P-2414)	728.Ap.G	n	(P-2209)
724.957	n	(P-2414)	728.Ap.H	n	(P-2209)
724.958	n	(P-2414)	728.Tb.A	am	(P-2209)
724.959	n	(P-2414)	728.Tb.B	am	(P-2209)
724.960	n	(P-2414)	728.Tb.C	n	(P-2209)
724.961	n	(P-2414)	728.Tb.D	n	(P-2209)
724.962	n	(P-2414)	728.Tb.E	n	(P-2209)
724.963	n	(P-2414)	731.113	am	(P-6424)
724.964	n	(P-2414)	731.140	am	(P-20161/90; A-6527)
724.965	n	(P-2414)	731.191	am	(P-6424) (P-20161/90; A-6527)
725.101	am	(P-2145)	811.101	am	(P-3166) (P-4660)

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811.301	am	(P-3166) (P-4660)	817.410	n	(P-3173)
811.401	am	(P-3166) (P-4660)	817.411	n	(P-3173)
814.104	am	(P-4604)	817.412	n	(P-3173)
814.601	n	(P-3155)	817.413	n	(P-3173)
814.602	n	(P-3155)	817.414	n	(P-3173)
814.701	n	(P-3155)	817.415	n	(P-3173)
814.702	n	(P-3155)	817.416	n	(P-3173)
814.801	n	(P-3155)	848.101	n	(P-7763/90; A-7959)
814.901	n	(P-3155)	848.102	n	(P-7763/90; A-7959)
814.902	n	(P-4604)	848.103	n	(P-7763/90; A-7959)
814.920	n	(P-4604)	848.104	n	(P-7763/90; A-7959)
814.921	n	(P-4604)	848.105	n	(P-7763/90; A-7959)
814.922	n	(P-4604)	848.201	n	(P-7763/90; A-7959)
814.930	n	(P-4604)	848.202	n	(P-7763/90; A-7959)
814.931	n	(P-4604)	848.203	n	(P-7763/90; A-7959)
816.101	n	(P-4616)	848.204	n	(P-7763/90; A-7959)
816.102	n	(P-4616)	848.205	n	(P-7763/90; A-7959)
816.103	n	(P-4616)	848.301	n	(P-7763/90; A-7959)
816.104	n	(P-4616)	848.302	n	(P-7763/90; A-7959)
816.105	n	(P-4616)	848.303	n	(P-7763/90; A-7959)
816.106	n	(P-4616)	848.304	n	(P-7763/90; A-7959)
816.107	n	(P-4616)	848.305	n	(P-7763/90; A-7959)
816.108	n	(P-4616)	848.306	n	(P-7763/90; A-7959)
816.109	n	(P-4616)	848.400	n	(P-7763/90; A-7959)
816.110	n	(P-4616)	848.401	n	(P-7763/90; A-7959)
816.111	n	(P-4616)	848.402	n	(P-7763/90; A-7959)
816.112	n	(P-4616)	848.403	n	(P-7763/90; A-7959)
816.113	n	(P-4616)	848.404	n	(P-7763/90; A-7959)
816.114	n	(P-4616)	848.405	n	(P-7763/90; A-7959)
816.115	n	(P-4616)	848.406	n	(P-7763/90; A-7959)
816.116	n	(P-4616)	848.407	n	(P-7763/90; A-7959)
816.117	n	(P-4616)	848.408	n	(P-7763/90; A-7959)
816.118	n	(P-4616)	848.410	n	(P-7763/90; A-7959)
816.119	n	(P-4616)	848.413	n	(P-7763/90; A-7959)
816.120	n	(P-4616)	848.415	n	(P-7763/90; A-7959)
816.121	n	(P-4616)	848.501	n	(P-7763/90; A-7959)
816.122	n	(P-4616)	848.502	n	(P-7763/90; A-7959)
816.123	n	(P-4616)	848.503	n	(P-7763/90; A-7959)
816.124	n	(P-4616)	848.504	n	(P-7763/90; A-7959)
816.101	n	(P-4616)	848.505	n	(P-7763/90; A-7959)
817.101	n	(P-3173)	848.506	n	(P-7763/90; A-7959)
817.102	n	(P-3173)	848.507	n	(P-7763/90; A-7959)
817.103	n	(P-3173)	848.508	n	(P-7763/90; A-7959)
817.104	n	(P-3173)	848.509	n	(P-7763/90; A-7959)
817.105	n	(P-3173)	848.601	n	(P-7763/90; A-7959)
817.201	n	(P-3173)	848.602	n	(P-7763/90; A-7959)
817.202	n	(P-3173)	848.603	n	(P-7763/90; A-7959)
817.203	n	(P-3173)	848.604	n	(P-7763/90; A-7959)
817.204	n	(P-3173)	848.605	n	(P-7763/90; A-7959)
817.301	n	(P-3173)	848.606	n	(P-7763/90; A-7959)
817.302	n	(P-3173)	848.607	n	(P-7763/90; A-7959)
817.303	n	(P-3173)	848.608	n	(P-7763/90; A-7959)
817.304	n	(P-3173)	848.609	n	(P-7763/90; A-7959)
817.305	n	(P-3173)	848.610	n	(P-7763/90; A-7959)
817.306	n	(P-3173)	848.611	n	(P-7763/90; A-7959)
817.401	n	(P-3173)	848.612	n	(P-7763/90; A-7959)
817.402	n	(P-3173)	848.613	n	(P-7763/90; A-7959)
817.403	n	(P-3173)	848.614	n	(P-7763/90; A-7959)
817.404	n	(P-3173)	848.615	n	(P-7763/90; A-7959)
817.405	n	(P-3173)	848.616	n	(P-7763/90; A-7959)
817.406	n	(P-3173)	848.617	n	(P-7763/90; A-7959)
817.407	n	(P-3173)	848.618	n	(P-7763/90; A-7959)
817.408	n	(P-3173)	848.619	n	(P-7763/90; A-7959)
817.409	n	(P-3173)	848.620	n	(P-7763/90; A-7959)

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180.90	am	(P-1207)
307.10	n	(P-3611)
307.20	n	(P-3611)
350.01	n	(P-2053)
354.10	n	(P-3614)

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TITLE #9 (CONT'D)							
108.50	am	(P-16718/90; A-6122)	130.70	am	R-1171)	(E-18100/90; O-21140/90;	
108.60	am	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.70	am	(P-16718/90; A-6122)	130.80	am	R-1171)	(E-18100/90; O-21140/90;	
108.80	am	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.90	am	(P-16718/90; A-6122)	130.90	r	R-1171)	(E-18100/90; O-21140/90;	
108.100	am	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.110	am	(P-16718/90; A-6122)	130.100	am	R-1171)	(E-18100/90; O-21140/90;	
108.120	am	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.130	am	(P-16718/90; A-6122)	130.110	am	R-1171)	(E-18100/90; O-21140/90;	
108.140	am	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.150	am	(P-16718/90; A-6122)	130.120	am	R-1171)	(E-18100/90; O-21140/90;	
108.160	am	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.200	n	(P-16718/90; A-6122)	130.130	am	R-1171)	(E-18100/90; O-21140/90;	
108.210	n	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
108.300	n	(P-16718/90; A-6122)	130.140	am	R-1171)	(E-18100/90; O-21140/90;	
108.Ap. A	n	(P-16718/90; A-6122)			R-1171)	(E-18100/90; O-21140/90;	
117.100	n	(P-14671/90; A-1511)	130.150	am	R-1171)	(E-18100/90; O-21140/90;	
117.110	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.115	n	(P-14671/90; A-1511)	130.160	am	R-1171)	(E-18100/90; O-21140/90;	
117.120	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.125	n	(P-14671/90; A-1511)	130.170	am	R-1171)	(E-18100/90; O-21140/90;	
117.130	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.135	n	(P-14671/90; A-1511)	130.180	am	R-1171)	(E-18100/90; O-21140/90;	
117.140	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.145	n	(P-14671/90; A-1511)	130.190	am	R-1171)	(E-18100/90; O-21140/90;	
117.200	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.205	n	(P-14671/90; A-1511)	130.200	am	R-1171)	(E-18100/90; O-21140/90;	
117.210	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.215	n	(P-14671/90; A-1511)	130.210	am	R-1171)	(E-18100/90; O-21140/90;	
117.220	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.225	n	(P-14671/90; A-1511)	130.220	am	R-1171)	(E-18100/90; O-21140/90;	
117.230	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.235	n	(P-14671/90; A-1511)	130.230	am	R-1171)	(E-18100/90; O-21140/90;	
117.240	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.300	n	(P-14671/90; A-1511)	130.240	am	R-1171)	(E-18100/90; O-21140/90;	
117.305	n	(P-14671/90; A-1511)			R-1171)	(E-18100/90; O-21140/90;	
117.310	n	(P-14671/90; A-1511)	130.250	am	R-1171)	(E-18100/90; O-21140/90;	

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1702.12	n	(P-1221)	1240.40	am	(P-2456/90; A-3051)		
1702.13	n	(P-1221)	1240.50	am	(P-2456/90; A-3051)		
1702.14	n	(P-1221)	1250.110	am	(P-1691)		
1702.15	n	(P-1221)	1250.120	am	(P-1691)		
1702.16	n	(P-1221)	1250.130	am	(P-1691)		
1702.17	n	(P-1221)	1250.135	n	(P-1691)		
1702.18	n	(P-1221)	1250.140	am	(P-1691)		
1702.18	n	(P-1221)	1250.150	am	(P-1691)		
1761.11	am	(P-1212)	1250.155	n	(P-1691)		
1761.12	am	(P-1212)	1250.160	am	(P-1691)		
1772.11	am	(P-1347)	1250.170	am	(P-1691)		
1772.14	am	(P-1347)	1250.190	r	(P-1691)		
1773.5	am	(P-1352)	1250.200	am	(P-1691)		
1773.11	am	(P-1352)	1250.205	am	(P-1691)		
1773.15	am	(P-1352)	1250.210	am	(P-1691)		
1773.17	am	(P-1352)	1250.220	n	(P-1691)		
1773.19	am	(P-3393)	1270.5	n	(P-7378/90; A-5258)		
1774.13	am	(P-1363)	1275.10	am	(P-7378/90; A-5258)		
1778.14	am	(P-1342)	1275.10	am	(P-3218) (E-3324)		
1780.16	am	(P-1374)	1275.13	n	(P-7378/90; A-5258)		
1780.37	am	(P-1374)	1275.15	am	(P-7378/90; A-5258)		
1780.39	n	(P-1374)	1275.20	n	(P-3218) (E-3324)		
1780.39	n	(P-1374)	1275.20	n	(P-3218) (E-3324)		
1784.21	am	(P-1382)	1275.20	am	(P-7378/90; A-5258)		
1784.24	am	(P-1382)	1275.30	n	(P-3218) (E-3324)		
1784.30	n	(P-1382)	1275.35	nb	(P-7378/90; A-5258)		
1816.49	am	(P-1266)	1275.30	am	(P-7378/90; A-5258)		
1816.68	am	(P-1266)	1275.40	n	(P-3218)		
1816.84	am	(P-1266)	1275.40	am	(P-7378/90; A-5258)		
1816.111	am	(P-1266)	1275.45	n	(P-7378/90; A-5258)		
1816.116	am	(P-1266)	1275.50	n	(P-3218)		
1816.117	am	(P-1266)	1275.50	am	(P-7378/90; A-5258)		
1816.150	am	(P-1266)	1275.60	am	(P-3218) (E-3324)		
1816.151	n	(P-1266)	1275.60	am	(P-7378/90; A-5258)		
1816.151	n	(P-1266)	1275.70	n	(P-3218)		
1816.49	am	(P-1314)	1275.90	n	(P-3218)		
1817.49	am	(P-1314)	1275.90	n	(P-3218)		
1817.68	am	(P-1314)	1285.20	am	(P-6888)		
1817.84	am	(P-1314)	1285.40	am	(P-6888)		
1817.116	am	(P-1314)	1285.50	am	(P-6888)		
1817.117	am	(P-1314)	1285.60	am	(P-6888)		
1817.150	am	(P-1314)	1285.70	am	(P-6888)		
1817.150	am	(P-1314)	1285.70	am	(P-6888)		
1817.151	n	(P-1314)	1285.80	am	(P-6888)		
1823.14	am	(P-1368)	1285.90	am	(P-6888) (E-7785)		
1823.15	am	(P-1368)	1285.95	am	(P-6888)		
2501.7	am	(P-141; A-6513)	1285.120	am	(P-6888)		
2501.10	am	(P-141; A-6513)	1300.30	am	(P-2519) (E-2855)		
2501.13	am	(P-141; A-6513)	1340.40	am	(P-17432/90; A-5254)		
2501.16	am	(P-141; A-6513)	1380.210	am	(P-7346/90; A-247)		
2501.19	am	(P-141; A-6513)	1380.220	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.230	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.240	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.250	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.260	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.270	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.280	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.285	n	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.290	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.300	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.310	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.320	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.330	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.340	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.350	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.360	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.370	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.380	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.390	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.400	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.410	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.420	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.430	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.440	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.450	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.460	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.470	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.480	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.490	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.500	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.510	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.520	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.530	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.540	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.550	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.560	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.570	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.580	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.590	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.600	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.610	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.620	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.630	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.640	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.650	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.660	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.670	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.680	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.690	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.700	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.710	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.720	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.730	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.740	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.750	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.760	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.770	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.780	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.790	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.800	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.810	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.820	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.830	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.840	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.850	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.860	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.870	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.880	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.890	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.900	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.910	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.920	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.930	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.940	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.950	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.960	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.970	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.980	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1380.990	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.000	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.010	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.020	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.030	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.040	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.050	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.060	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.070	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.080	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.090	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.100	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.110	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.120	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.130	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.140	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.150	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.160	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.170	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.180	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)	1381.190	am	(P-7346/90; A-247)		
2501.25	am	(P-141; A-6513)					

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790.5820	am	(P-3417; E-3537)	1130.420		
790.5830	am	(P-3417; E-3537)	1130.Ap. A		
790.5830	am	(P-3417; E-3537)	2058.105		
790.5900	am	(P-3417; E-3537)	2058.110		
790.5924	am	(P-3417; E-3537)	2058.120		
790.6300	am	(P-3417; E-3537)	2058.125		
790.6430	n	(P-18457/90; A-6566)	2058.230		
790.6505	n	(P-3417; E-3537)	2058.235		
790.6875	am	(P-3417; E-3537)	2058.303		
790.6960	am	(P-3417; E-3537)	2058.306		
790.7120	am	(P-3417; E-3537)	2058.309		
790.7160	am	(P-18457/90; A-6566)	2058.312		
790.7221	n	(P-3417; E-3537)	2058.315		
790.7245	n	(P-3417; E-3537)	2058.318		
790.7280	am	(P-18457/90; A-6566)	2058.319		
790.7278	am	(P-3417; E-3537)	2058.321		
790.7280	am	(P-3417; E-3537)	2058.327		
790.7740	am	(P-3417; E-3537)	2058.330		
790.7820	am	(P-3417; E-3537)	2058.333		
790.8015	am	(P-3417; E-3537) (P-18457/90; A-6566)	2058.336		
790.8020	am	(P-3417; E-3537)	2058.342		
790.8290	am	(P-3417; E-3537)	2058.343		
790.8500	am	(P-3417; E-3537)	2058.348		
790.8580	am	(P-3417; E-3537)	2058.354		
790.8620	am	(P-3417; E-3537)	2058.366		
790.9048	am	(P-3417; E-3537)	2058.400		
790.9048	am	(P-18457/90; A-6566)	2058.405		
790.9056	am	(P-3417; E-3537)	2058.410		
790.9220	am	(P-3417; E-3537)	2058.600		
790.9420	am	(P-3417; E-3537)	2058.705		
790.9460	am	(P-3417; E-3537)	2058.805		
790.9500	am	(P-3417; E-3537)	2058.900		
790.9580	am	(P-3417; E-3537)	2058.905		
895.10	am	(P-5005)	2530.Ap. B		
895.20	am	(P-5005)			
895.30	am	(P-5005)			
895.40	am	(P-5005)	150.430		
895.50	am	(P-5005)	303.102		
920.10	am	(P-6460)	303.125		
920.15	am	(P-6460)	303.290		
920.20	am	(P-6460)	303.380		
920.30	am	(P-6460)	310.30		
920.40	am	(P-6460)	310.40		
920.50	am	(P-6460)	310.100		
920.60	am	(P-6460)	310.230		
920.70	am	(P-6460)	310.280		
920.80	am	(P-6460)	310.290		
920.90	am	(P-6460)	310.320		
920.100	am	(P-6460)	310.230		
920.110	am	(P-6460)	310.450		
920.120	am	(P-6460)	310.490		
920.130	am	(P-6460)	310.530		
920.170	am	(P-6460)	310.540		
920.180	n	(P-6460)	310.Ap.A		
920.180	n	(P-6460)			
920.Tb.A	am	(P-6460)	Tb. A		
920.Tb.B	am	(P-6460)	Tb. B		
920.II. H	n	(P-6460)	Tb. C		
925.10	am	(P-6498)	Tb. D		
925.15	am	(P-6498)	Tb. E		
925.20	am	(P-6498)	Tb. F		
925.30	am	(P-6498)	Tb. J		
925.40	am	(P-6498)	Tb. P		
925.50	am	(P-6498)	Tb. U		
925.II. A	am	(P-6498)			

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310.Ap.C	am	(P-15186/90; A-4401) (P-5147)	730.520
310.Ap.D	am	(P-5147)	730.525
1540.330	am	(P-18712/90; A-7379)	730.535
			730.540
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			757.340
			757.350
			757.400
			757.410
			757.Ex.A
			757.Ex.B
			757.Ex.C
			757.Ex.D
			757.Ex.E
			757.Ex.F
			757.Ex.G
			757.Ex.H
			757.Ex.I
			757.Ex.J
			757.Ex.K
			757.Ex.L
			757.Ex.M
			757.Ex.N
			757.Ex.O
			757.Ex.P
			757.Ex.Q
			757.Ex.R
			757.Ex.S
			757.Ex.T
			757.Ex.U
			757.Ex.V
			757.Ex.W
			757.Ex.X
			757.Ex.Y
			757.Ex.Z
			757.Ex.AA
			757.Ex.AB
			757.Ex.AC
			757.Ex.AD
			757.Ex.AE
			757.Ex.AF
			757.Ex.AG
			757.Ex.AH
			757.Ex.AI
			757.Ex.AJ
			757.Ex.AK
			757.Ex.AL
			757.Ex.AM
			757.Ex.AN
			757.Ex.AO
			757.Ex.AP
			757.Ex.AQ
			757.Ex.AR
			757.Ex.AT
			757.Ex.AU
			757.Ex.AV
			757.Ex.AW
			757.Ex.AX
			757.Ex.AY
			757.Ex.AZ
			757.Ex.BA
			757.Ex.BB
			757.Ex.BC
			757.Ex.BD
			757.Ex.BE
			757.Ex.BF
			757.Ex.BG
			757.Ex.BH
			757.Ex.BI
			757.Ex.BJ
			757.Ex.BK
			757.Ex.BL
			757.Ex.BM
			757.Ex.BN
			757.Ex.BO
			757.Ex.BP
			757.Ex.BQ
			757.Ex.BR
			757.Ex.BT
			757.Ex.BU
			757.Ex.BV
			757.Ex.BW
			757.Ex.BX
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780.10	n	(P-13100/90; A-5062)	130.2105	am	(P-20194/90; A-6621)
780.20	n	(P-13100/90; A-5062)	130.2115	am	(P-20194/90; A-6621)
780.30	n	(P-13100/90; A-5062)	130.2140	am	(P-20194/90; A-6621)
			130.2145	am	(P-20194/90; A-6621; O-6792)
			130.2150	am	(P-20194/90; A-6621)
			130.2165	am	(P-20194/90; A-6621)
			130.IL. A	n	(P-20194/90; A-6621)
			140.101	am	(P-19779/90; A-5834)
			140.301	am	(P-17916/90; A-5834)
			150.101	am	(P-19804/90; A-5861)
			150.105	am	(P-19804/90; A-5861)
			150.135	am	(P-19804/90; A-5861)
			150.201	am	(P-19804/90; A-5861)
			150.405	am	(P-19804/90; A-5861)
			150.710	am	(P-19804/90; A-5861)
			150.725	am	(P-19804/90; A-5861)
			150.905	am	(P-19804/90; A-5861)
			150.1101	am	(P-19804/90; A-5861)
			150.1310	am	(P-19804/90; A-5861)
			150.1401	am	(P-19804/90; A-5861)
			150.1405	am	(P-19804/90; A-5861)
			160.101	am	(P-19788/90; A-5845)
			160.105	am	(P-19788/90; A-5845)
			160.115	am	(P-19788/90; A-5845)
			160.135	am	(P-19788/90; A-5845)
			160.150	am	(P-19788/90; A-5845)
			160.155	am	(P-19788/90; A-5845)
			200.115	am	(P-14754/90; A-3518)
			200.115	am	(P-19706/90; A-5783)
			200.115	am	(P-19706/90; A-5783)
			220.105	am	(P-19706/90; A-5783)
			220.110	am	(P-19706/90; A-5783)
			220.115	am	(P-19706/90; A-5783)
			220.120	am	(P-19706/90; A-5783)
			220.125	am	(P-19706/90; A-5783)
			220.130	am	(P-19706/90; A-5783)
			230.101	am	(P-19717/90; A-5796)
			230.105	am	(P-19717/90; A-5796)
			230.110	am	(P-19717/90; A-5796)
			230.115	am	(P-19717/90; A-5796)
			230.120	am	(P-19717/90; A-5796)
			230.125	am	(P-19717/90; A-5796)
			230.130	am	(P-19717/90; A-5796)
			240.101	r	(P-19725/90; A-5781)
			240.105	r	(P-19725/90; A-5781)
			240.110	r	(P-19725/90; A-5781)
			240.115	r	(P-19725/90; A-5781)
			240.120	r	(P-19725/90; A-5781)
			270.101	am	(P-15251/90; A-3507)
			270.105	am	(P-15251/90; A-3507)
			270.110	am	(P-15251/90; A-3507)
			270.115	am	(P-15251/90; A-3507)
			270.120	am	(P-15251/90; A-3507)
			270.125	am	(P-15251/90; A-3507)
			270.130	am	(P-15251/90; A-3507)
			280.101	am	(P-17908/90; A-6290)
			280.105	am	(P-17908/90; A-6290)
			280.110	am	(P-17908/90; A-6290)
			280.115	am	(P-17908/90; A-6290)
			280.120	am	(P-17908/90; A-6290)
			280.125	am	(P-17908/90; A-6290)
			280.130	am	(P-17908/90; A-6290)
			290.101	r	(P-19751/90; A-5820)

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500.175	am	(P-19751/90; A-5820)	500.175	am	(P-17897/90; A-6305)
500.195	am	(P-19751/90; A-5820)	500.195	am	(P-17897/90; A-6305)
500.201	n	(P-19751/90; A-5820)	500.201	n	(P-17897/90; A-6305)
500.220	am	(P-19751/90; A-5820)	500.220	am	(P-17897/90; A-6305)
600.101	am	(P-19756/90; A-6316)	600.101	am	(P-18195/90; A-6284)
600.105	am	(P-19756/90; A-6316)	600.105	am	(P-18195/90; A-6284)
600.110	am	(P-19756/90; A-6316)	600.110	am	(P-18195/90; A-6284)
600.115	am	(P-19756/90; A-6316)	600.115	am	(P-18195/90; A-6284)
600.120	am	(P-19756/90; A-6316)	600.120	am	(P-18195/90; A-6284)
600.125	am	(P-19767/90; A-5822)	600.125	am	(P-18195/90; A-6284)
600.130	am	(P-19767/90; A-5822)	600.130	am	(P-18195/90; A-6284)
600.135	am	(P-19767/90; A-5822)	600.135	am	(P-18195/90; A-6284)
610.101	am	(P-19767/90; A-5822)	610.101	am	(P-18208/90; A-6286)
610.105	am	(P-19767/90; A-5822)	610.105	am	(P-18208/90; A-6286)
610.110	am	(P-19767/90; A-5822)	610.110	am	(P-18208/90; A-6286)
610.115	am	(P-19767/90; A-5822)	610.115	am	(P-18208/90; A-6286)
610.120	am	(P-19767/90; A-5822)	610.120	am	(P-18208/90; A-6286)
610.125	am	(P-19767/90; A-5822)	610.125	am	(P-18208/90; A-6286)
610.130	am	(P-19767/90; A-5822)	610.130	am	(P-18208/90; A-6286)
610.135	am	(P-19767/90; A-5822)	610.135	am	(P-18208/90; A-6286)
620.101	am	(P-19767/90; A-5822)	620.101	am	(P-18208/90; A-6286)
620.105	am	(P-19767/90; A-5822)	620.105	am	(P-18208/90; A-6286)
620.110	am	(P-19767/90; A-5822)	620.110	am	(P-18208/90; A-6286)
620.115	am	(P-19767/90; A-5822)	620.115	am	(P-18208/90; A-6286)
620.120	am	(P-19767/90; A-5822)	620.120	am	(P-18208/90; A-6286)
630.101	am	(P-19767/90; A-5822)	630.101	am	(P-18208/90; A-6286)
630.105	am	(P-19767/90; A-5822)	630.105	am	(P-18208/90; A-6286)
630.110	am	(P-19767/90; A-5822)	630.110	am	(P-18208/90; A-6286)
630.115	am	(P-19767/90; A-5822)	630.115	am	(P-18208/90; A-6286)
640.101	am	(P-19767/90; A-5822)	640.101	am	(P-18208/90; A-6286)
640.105	am	(P-19767/90; A-5822)	640.105	am	(P-18208/90; A-6286)
640.110	am	(P-19767/90; A-5822)	640.110	am	(P-18208/90; A-6286)
650.101	am	(P-19767/90; A-5822)	650.101	am	(P-18208/90; A-6286)
3000.100	n	(P-1724)	3000.100	n	(P-433)
3000.110	n	(P-1724)	3000.110	n	(P-433)
3000.120	n	(P-1724)	3000.120	n	(P-433)
3000.130	n	(P-1724)	3000.130	n	(P-433)
3000.140	n	(P-1724)	3000.140	n	(P-433)
3000.150	n	(P-1724)	3000.150	n	(P-433)
3000.160	n	(P-1724)	3000.160	n	(P-433)
3000.170	n	(P-1724)	3000.170	n	(P-433)
3000.200	n	(P-1724)	3000.200	n	(P-433)
3000.210	n	(P-1724)	3000.210	n	(P-433)
3000.220	n	(P-1724)	3000.220	n	(P-433)
3000.230	n	(P-1724)	3000.230	n	(P-433)
3000.240	n	(P-1724)	3000.240	n	(P-433)
3000.250	n	(P-1724)	3000.250	n	(P-433)
3000.260	n	(P-1724)	3000.260	n	(P-433)
3000.400	n	(P-1724)	3000.400	n	(P-433)
3000.410	n	(P-1724)	3000.410	n	(P-433)
3000.500	n	(P-1724)	3000.500	n	(P-433)
TITLE 89					
102.81	am	(P-409; A-7202)	102.81	am	(P-409; A-7202)
104.45	am	(P-18705/90; A-5320)	104.45	am	(P-18705/90; A-5320)
104.250	am	(P-15; A-6557)	104.250	am	(P-15; A-6557)
104.272	am	(P-15; A-6557)	104.272	am	(P-15; A-6557)
104.304	am	(P-15; A-6557)	104.304	am	(P-15; A-6557)
104.330	am	(P-15; A-6557)	104.330	am	(P-15; A-6557)
111.101	am	(P-17897/90; A-6305)	111.101	am	(P-17897/90; A-6305)
112.9	am	(P-17897/90; A-6305)	112.9	am	(P-17897/90; A-6305)
112.64	am	(P-17897/90; A-6305)	112.64	am	(P-17897/90; A-6305)

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TITLE 89 (CONT'D)							
112.70	am	(P-2521)	140.462	am	(P-4903)		
112.74	am	(P-2521)	140.463	am	(P-4903)		
112.78	am	(P-2521)	140.465	r	(P-4903)		
112.79	am	(P-2521)	140.475	am	(P-847)		
112.80	am	(P-2521)	140.485	am	(P-14317/90; O-21120/90; RC-21135/90; R-21124/90; RC-21135/90; M-368; A-298)		
112.82	am	(P-2521) (E-2862)					
112.110	am	(P-5502)	140.486	r	(P-14317/90; A-298)		
112.151	am	(P-5502)	140.487		(P-14317/90; A-298)		
112.340	n	(P-157; A-5275) (E-338)	140.488	n	(P-14317/90; A-298)		
113.9	am	(P-384; A-5698)	140.523	am	(P-14681/90; A-1051)		
113.125	am	(P-6913)	140.560	am	(P-5585)		
113.141	am	(P-19581/90; A-5291)	140.561	am	(P-7482)		
113.155	am	(P-804; A-7104) (E-1111; O-5125) (P-7444)	140.562	am	(P-13963/90; O-17718/90; R-366)		
113.251	am	(P-15701/90; A-277)	140.569	am	(P-7834/90; A-18813/90; C-1174) (P-7834/90; O-5115; R-6789; A-6534)		
113.253	am	(P-1715; A-7104)					
113.260	am	(P-1715; A-7104)					
113.261	am	(P-5517)	140.646	am	(P-6949)		
113.303	am	(P-15701/90; A-277)	140.662	am	(P-14317/90; A-298)		
114.9	am	(P-394; A-5710)	140.76.A	r	(P-14317/90; A-298)		
114.210	am	(P-5539)	140.76.D	am	(P-1414)		
114.251	am	(P-5539)	141.560	am	(P-831; A-7117) (E-1121)		
114.402	am	(P-15712/90; A-288)	141.680	am	(P-831; A-7117) (E-1121)		
117.90	n	(P-6435)	141.760	am	(P-831; A-7117) (E-1121)		
120.11	am	(P-5551)	141.1125	am	(P-831; A-7117) (E-1121)		
120.12	n	(P-6089)	141.1200	am	(P-831; A-7117) (E-1121)		
120.31	am	(P-5551)	141.1240	am	(P-831; A-7117) (E-1121)		
120.60	am	(P-5551)	141.1520	am	(P-831; A-7117) (E-1121)		
120.61	am	(P-159; A-5302) (E-348)	141.1840	am	(P-831; A-7117) (E-1121)		
120.64	am	(P-5551)	141.1880	am	(P-831; A-7117) (E-1121)		
120.65	n	(P-2908)	141.2040	am	(P-831; A-7117) (E-1121)		
120.72	am	(P-159; A-5302) (E-348)	141.2400	am	(P-831; A-7117) (E-1121)		
120.74	am	(P-159; A-5302) (E-348)	141.2520	am	(P-831; A-7117) (E-1121)		
120.208	am	(P-5551)	141.2640	am	(P-831; A-7117) (E-1121)		
120.235	am	(P-5551)	141.2920	am	(P-831; A-7117) (E-1121)		
120.281	am	(P-5551)	141.3320	am	(P-831; A-7117) (E-1121)		
120.319	am	(P-833)	141.3560	am	(P-831; A-7117) (E-1121)		
120.320	am	(P-833)	141.3600	am	(P-831; A-7117) (E-1121)		
120.321	am	(P-833)	141.3640	am	(P-831; A-7117) (E-1121)		
120.322	am	(P-833)	141.3720	am	(P-831; A-7117) (E-1121)		
120.323	am	(P-833)	141.3800	am	(P-831; A-7117) (E-1121)		
120.370	am	(P-6937)	141.4240	am	(P-831; A-7117) (E-1121)		
120.335	am	(P-5551)	141.4360	am	(P-831; A-7117) (E-1121)		
120.386	am	(P-159; A-5302) (E-348)	141.4520	am	(P-831; A-7117) (E-1121)		
		(P-7468)	141.4560	am	(P-831; A-7117) (E-1121)		
		(P-5551)	141.4680	am	(P-831; A-7117) (E-1121)		
120.390	am	(P-5551)	144.275	am	(P-816)		
120.391	am	(P-5551)	144.300	n	(P-7455)		
121.31	am	(P-5525)	144.325	n	(P-7455)		
121.58	am	(P-5525)	147.5	n	(P-19653/90; A-7162) (P-870)		
121.63	am	(P-6922)	147.5	n	(P-19653/90; A-7162) (P-870)		
121.91	am	(P-5585)	147.25	am	(P-19653/90; A-7162) (P-870)		
140.3	am	(P-5585)	147.50	am	(P-19653/90; A-7162) (P-870)		
140.7	am	(P-5585)	147.75	am	(P-19653/90; A-7162) (P-870)		
140.11	am	(P-6949)	147.150	am	(P-13967/90; A-2715)		
140.16	am	(P-847)	147.200	am	(P-2919)		
140.413	am	(P-406) (E-592)	147.205	am	(P-13967/90; A-2715)		
140.420	am	(P-1414)	147.250	am	(P-5434/90; O-5118) (P-5434/		

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TITLE 89 (CONT'D)							
147.310	n	(P-9355/90; O-13039/90; R-3129; A-3058)	617.55	am	(P-9385/90; A-7347)		
			617.60	am	(P-9385/90; A-7347)		
			617.70	am	(P-7885)		
147.315	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.1	r	(P-6725/90; A-2794)		
			650.10	n	(P-6683/90; A-2794)		
147.320	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.20	n	(P-6725/90; A-2794)		
			650.30	n	(P-6683/90; A-2794)		
147.325	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.40	r	(P-6725/90; A-2794)		
			650.50	n	(P-6683/90; A-2794)		
147.330	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.60	r	(P-6725/90; A-2794)		
			650.70	n	(P-6683/90; A-2794)		
147.335	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.80	n	(P-6725/90; A-2794)		
			650.90	n	(P-6683/90; A-2794)		
147.340	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.100	n	(P-6725/90; A-2794)		
			650.110	n	(P-6683/90; A-2794)		
147.345	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.120	n	(P-6725/90; A-2794)		
			650.130	n	(P-6683/90; A-2794)		
147.350	n	(P-9355/90; O-13039/90; R-3129; A-3058)	650.140	n	(P-6725/90; A-2794)		
			650.150	n	(P-6683/90; A-2740)		
147.Tb.A	am	(P-15722/90; A-1826)	650.160	n	(P-6683/90; A-2740)		
147.Tb.B	am	(P-806)	650.200	r	(P-6725/90; A-2794)		
147.Tb.C	n	(P-806)	650.300	r	(P-6725/90; A-2794)		
147.Tb.D	n	(P-806)	650.600	r	(P-6725/90; A-2794)		
147.Tb.E	n	(P-806)	650.700	r	(P-6725/90; A-2794)		
147.Tb.F	n	(P-870)	650.1000	r	(P-6725/90; A-2794)		
147.Tb.G	n	(P-870)	650.1500	r	(P-6725/90; A-2794)		
147.Tb.H	n	(P-870)	685.500	am	(P-8982/90; O-17710/90; R-6791; A-6602)		
147.Tb.I	n	(P-870)	685.600	am	(P-8982/90; O-17710/90; R-6791; A-6602)		
149.150	am	(P-15722/90; A-1826)	687.100	am	(P-8560/90; O-16085/90; M-5921; A-7354)		
160.5	am	(P-806)	695.300	am	(P-12252/90; A-6279)		
160.10	am	(P-806)	695.400	am	(P-12252/90; A-6279)		
160.20	am	(P-806)	730.400	am	(P-12228/90; A-6265)		
160.70	am	(P-7436/90; A-1034)	765.60	am	(P-12224/90; A-6261)		
240.1665	am	(E-2838)	830.50	am	(P-12234/90; A-6272)		
431.2	am	(P-4303/90; A-24)	830.140	am	(P-4397)		
431.3	am	(P-4303/90; A-24)	860.20	am	(P-3228)		
431.5	am	(P-4303/90; A-24)	885.10	am	(P-6666/90; A-7221)		
505.5	#	(P-12718/90; A-7728)	885.30	n	(P-6666/90; A-7221)		
505.10	am	(P-12718/90; A-7728)	885.100	n	(P-6666/90; A-7221)		
505.20	am	(P-12718/90; A-7728)	885.110	n	(P-6666/90; A-7221)		
505.40	am	(P-12718/90; A-7728)	885.200	n	(P-6666/90; A-7221)		
505.70	am	(P-12718/90; A-7728)	885.300	n	(P-6666/90; A-7221)		
505.80	am	(P-12718/90; A-7728)	885.310	n	(P-6666/90; A-7221)		
505.10	am	(P-12718/90; A-7728)	885.400	n	(P-6666/90; A-7221)		
515.400	n	(P-9370/90; O-17698/90; M-4464; A-7211)	885.400	n	(P-6666/90; A-7221)		
			885.500	n	(P-6666/90; A-7221)		
515.500	n	(P-9370/90; A-7211)	885.600	am	(P-6666/90; A-7221)		
562.30	am	(P-1671)	885.100	n	(P-6666/90; A-7221)		
567.20	am	(P-12731/90; A-6617)	885.110	n	(P-6666/90; A-7221)		
567.30	am	(P-12731/90; A-6617)	885.120	n	(P-6666/90; A-7221)		
587.105	am	(P-11736/90; A-7370)	885.130	n	(P-6666/90; A-7221)		
587.106	am	(P-11736/90; A-7370)	885.140	n	(P-6666/90; A-7221)		
587.107	n	(P-11736/90; A-7370)	885.150	n	(P-6666/90; A-7221)		
587.110	am	(P-11736/90; A-7370)	885.160	n	(P-6666/90; A-7221)		
587.111	am	(P-11736/90; A-7370)	885.170	n	(P-6666/90; A-7221)		
587.120	am	(P-11736/90; A-7370)	885.180	n	(P-6666/90; A-7221)		
592.50	am	(P-12257/90; A-5757)	885.190	n	(P-6666/90; A-7221)		
592.75	am	(P-12257/90; A-5757)	885.200	n	(P-6666/90; A-7221)		
592.80	am	(P-12257/90; A-5757)	885.210	n	(P-6666/90; A-7221)		
592.85	am	(P-12257/90; A-5757)	885.220	n	(P-6666/90; A-7221)		
617.20	am	(P-9385/90; A-7347)	1300.110	am	(P-6666/90; A-7221)		
617.30	am	(P-7885)	1300.120	am	(P-5141)		
617.50	am	(P-9385/90; A-7347)		am	(P-5141)		

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1300.130	am	530.108	r
1300.200	am	530.109	r
1300.205	n	530.110	n
1300.210	am	530.111	r
		530.112	r
		530.113	r
		530.114	r
		530.115	r
		530.116	r
		530.117	r
		530.118	r
		530.119	r
		530.120	n
		530.121	r
		530.122	r
		530.123	r
		530.130	n
		530.140	n
		530.150	n
		530.200	n
		530.201	r
		530.202	r
		530.203	r
		530.210	n
		530.220	n
		530.225	n
		530.230	n
		530.240	n
		530.250	n
		530.260	n
		530.270	n
		530.275	n
		530.280	n
		530.290	n
		530.300	n
		530.301	r
		530.302	r
		530.303	r
		530.310	n
		530.320	n
		530.330	n
		530.400	n
		530.401	r
		530.402	r
		530.403	r
		530.410	n
		530.420	n
		530.430	n
		530.440	n
		530.450	n
		530.460	n
		530.470	n
		530.480	n
		530.500	n
		530.501	r
		530.502	r
		530.503	r
		530.510	n
		530.520	n
		530.530	n
		530.600	n

(P-3275)	(P-3003)	530.601	r	(P-3003)
(P-3275)	(P-3003)	530.602	r	(P-3003)
(P-3275)	(P-3003)	530.603	r	(P-3003)
(P-3275)	(P-2940)	530.610	n	(P-2940)
(P-3275)	(P-3003)	530.700	n	(P-2940)
(P-3275)	(P-3003)	530.701	r	(P-3003)
(P-3275)	(P-3003)	530.702	r	(P-3003)
(P-3275)	(P-3003)	530.710	r	(P-3003)
(P-3275)	(P-3003)	530.800	n	(P-2940)
(P-3275)	(P-3003)	530.801	n	(P-3003)
(P-3275)	(P-3003)	530.802	r	(P-3003)
(P-3275)	(P-3003)	530.803	r	(P-3003)
(P-3275)	(P-3003)	530.804	r	(P-3003)
(P-3275)	(P-3003)	530.810	n	(P-2940)
(P-3275)	(P-3003)	530.820	n	(P-2940)
(P-3275)	(P-3003)	530.830	n	(P-2940)
(P-3275)	(P-3003)	530.840	n	(P-2940)
(P-3275)	(P-3003)	530.900	n	(P-2940)
(P-3275)	(P-3003)	530.901	r	(P-3003)
(P-3275)	(P-3003)	530.902	r	(P-3003)
(P-3275)	(P-3003)	530.903	r	(P-3003)
(P-3275)	(P-3003)	530.904	r	(P-3003)
(P-3275)	(P-3003)	530.905	r	(P-3003)
(P-3275)	(P-3003)	530.906	r	(P-3003)
(P-3275)	(P-3003)	530.907	r	(P-3003)
(P-3275)	(P-3003)	530.908	r	(P-3003)
(P-3275)	(P-3003)	530.909	r	(P-3003)
(P-3275)	(P-3003)	530.910	r	(P-3003)
(P-3275)	(P-3003)	530.911	r	(P-3003)
(P-3275)	(P-3003)	530.912	r	(P-3003)
(P-3275)	(P-3003)	530.913	r	(P-3003)
(P-3275)	(P-3003)	530.914	r	(P-3003)
(P-3275)	(P-3003)	530.915	r	(P-3003)
(P-3275)	(P-3003)	530.916	r	(P-3003)
(P-3275)	(P-3003)	530.917	r	(P-3003)
(P-3275)	(P-3003)	530.918	r	(P-3003)
(P-3275)	(P-3003)	530.919	r	(P-3003)
(P-3275)	(P-3003)	530.920	n	(P-2940)
(P-3275)	(P-3003)	530.921	n	(P-2940)
(P-3275)	(P-3003)	530.922	n	(P-2940)
(P-3275)	(P-3003)	530.923	n	(P-2940)
(P-3275)	(P-3003)	530.924	n	(P-2940)
(P-3275)	(P-3003)	530.925	n	(P-2940)
(P-3275)	(P-3003)	530.926	n	(P-2940)
(P-3275)	(P-3003)	530.927	n	(P-2940)
(P-3275)	(P-3003)	530.928	n	(P-2940)
(P-3275)	(P-3003)	530.929	n	(P-2940)
(P-3275)	(P-3003)	530.930	n	(P-2940)
(P-3275)	(P-3003)	530.931	n	(P-2940)
(P-3275)	(P-3003)	530.932	n	(P-2940)
(P-3275)	(P-3003)	530.933	n	(P-2940)
(P-3275)	(P-3003)	530.934	n	(P-2940)
(P-3275)	(P-3003)	530.935	n	(P-2940)
(P-3275)	(P-3003)	530.936	n	(P-2940)
(P-3275)	(P-3003)	530.937	n	(P-2940)
(P-3275)	(P-3003)	530.938	n	(P-2940)
(P-3275)	(P-3003)	530.939	n	(P-2940)
(P-3275)	(P-3003)	530.940	n	(P-2940)
(P-3275)	(P-3003)	530.941	n	(P-2940)
(P-3275)	(P-3003)	530.942	n	(P-2940)
(P-3275)	(P-3003)	530.943	n	(P-2940)
(P-3275)	(P-3003)	530.944	n	(P-2940)
(P-3275)	(P-3003)	530.945	n	(P-2940)
(P-3275)	(P-3003)	530.946	n	(P-2940)
(P-3275)	(P-3003)	530.947	n	(P-2940)
(P-3275)	(P-3003)	530.948	n	(P-2940)
(P-3275)	(P-3003)	530.949	n	(P-2940)
(P-3275)	(P-3003)	530.950	n	(P-2940)
(P-3275)	(P-3003)	530.951	n	(P-2940)
(P-3275)	(P-3003)	530.952	n	(P-2940)
(P-3275)	(P-3003)	530.953	n	(P-2940)
(P-3275)	(P-3003)	530.954	n	(P-2940)
(P-3275)	(P-3003)	530.955	n	(P-2940)
(P-3275)	(P-3003)	530.956	n	(P-2940)
(P-3275)	(P-3003)	530.957	n	(P-2940)
(P-3275)	(P-3003)	530.958	n	(P-2940)
(P-3275)	(P-3003)	530.959	n	(P-2940)
(P-3275)	(P-3003)	530.960	n	(P-2940)

18.10	r	(P-3231)	(P-3003)
18.10	n	(P-3252)	(P-3003)
18.20	r	(P-3231)	(P-3003)
18.20	n	(P-3252)	(P-3003)
18.30	r	(P-3231)	(P-3003)
18.30	n	(P-3252)	(P-3003)
18.40	r	(P-3231)	(P-3003)
18.40	n	(P-3252)	(P-3003)
18.50	r	(P-3231)	(P-3003)
18.50	n	(P-3252)	(P-3003)
18.60	r	(P-3231)	(P-3003)
18.60	n	(P-3252)	(P-3003)
18.70	r	(P-3231)	(P-3003)
18.70	n	(P-3252)	(P-3003)
18.80	r	(P-3231)	(P-3003)
18.80	n	(P-3252)	(P-3003)
18.90	r	(P-3231)	(P-3003)
18.90	n	(P-3252)	(P-3003)
18.100	r	(P-3231)	(P-3003)
18.100	n	(P-3252)	(P-3003)
18.110	r	(P-3231)	(P-3003)
18.110	n	(P-3252)	(P-3003)
18.120	r	(P-3231)	(P-3003)
18.120	n	(P-3252)	(P-3003)
18.130	r	(P-3231)	(P-3003)
18.130	n	(P-3252)	(P-3003)
18.140	r	(P-3231)	(P-3003)
18.140	n	(P-3252)	(P-3003)
18.150	r	(P-3231)	(P-3003)
18.150	n	(P-3252)	(P-3003)
18.160	r	(P-3231)	(P-3003)
18.160	n	(P-3252)	(P-3003)
18.Ex.A	r	(P-3231)	(P-3003)
18.Ex.A	n	(P-3252)	(P-3003)
18.Ex.B	r	(P-3231)	(P-3003)
18.Ex.B	n	(P-3252)	(P-3003)
11.A	r	(P-3231)	(P-3003)
11.B	r	(P-3231)	(P-3003)
27.10	n	(P-15262/90; A-2796)	(P-2796)
27.20	n	(P-15262/90; A-2796)	(P-2796)
27.30	n	(P-15262/90; A-2796)	(P-2796)
27.40	n	(P-15262/90; A-2796)	(P-2796)
27.50	n	(P-15262/90; A-2796)	(P-2796)
27.60	n	(P-15262/90; A-2796)	(P-2796)
27.70	n	(P-15262/90; A-2796)	(P-2796)
27.80	n	(P-15262/90; A-2796)	(P-2796)
27.90	n	(P-15262/90; A-2796)	(P-2796)
27.100	n	(P-15262/90; A-2796)	(P-2796)
27.110	n	(P-15262/90; A-2796)	(P-2796)
27.120	n	(P-15262/90; A-2796)	(P-2796)
27.130	n	(P-15262/90; A-2796)	(P-2796)
27.140	n	(P-15262/90; A-2796)	(P-2796)
27.Ex.A	n	(P-15262/90; A-2796)	(P-2796)
37.10	n	(P-3275)	(P-3003)
37.20	n	(P-3275)	(P-3003)
37.30	n	(P-3275)	(P-3003)
37.40	n	(P-3275)	(P-3003)
37.50	n	(P-3275)	(P-3003)
37.60	n	(P-3275)	(P-3003)
37.70	n	(P-3275)	(P-3003)

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